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# **ACRONYMS**

AUD Australian Dollar

COI Commission of Inquiry

CRW Counter Revolutionary Warfare Unit
DVRO Domestic Violence Restraining Order

FHRADC Fiji Human Rights and Anti-Discrimination Commission

FICAC Fiji Independent Commission Against Corruption

FJD Fijian Dollar

FNPF Fiji National Provident Fund

FNU Fiji National University

FPF Fiji Police Force

FRCS Fiji Revenue and Customs Service

FRU Fiji Rugby Union

FWCC Fiji Women's Crisis Centre

FWRM Fiji Women's Rights Movement

GCC Great Council of Chiefs

GDP Gross Domestic Product

GP General Practitioner

IDMC Internal Displacement Monitoring Centre

ILO International Labour Organization

LGBTQIA+ Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and/or Asexual

LTA Land Transport Authority

MP Member of Parliament

NFP National Federation Party

ODPP Office of the Director of Public Prosecutions

PALM Pacific Australia Labour Mobility

PAP People's Alliance Party

RFMF Republic of Fiji Military Forces

SODELPA Social Democratic Liberal Party

TIN Tax Identification Number
TLTB iTaukei Land Trust Board

TSLS Tertiary Scholarships and Loans Service

TVET Technical and Vocational Education and Training

USP University of the South Pacific

VIC Voter Identification Card

# **GLOSSARY**

Bulubulu Traditional iTaukei reconciliation ceremony where apologies are made and forgiveness

sought, often involving the offering of gifts

Indo-Fijian Fijian of Indian ethnic descent

iTaukei Indigenous people of Fiji

Mataqali iTaukei landowning unit or clan

Tokatoka iTaukei family unit

Vakasalewalewa Traditional third gender group; a person assigned male at birth with a feminine gender

expression and identity

## Terms used in this report

High risk DFAT is aware of a strong pattern of incidents

Moderate risk DFAT is aware of sufficient incidents to suggest a pattern of behaviour

Low risk DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

#### Official discrimination

- 1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
- 2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures.

#### Societal discrimination

- 1. behaviour by members of society (including family members, employers or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
- 2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues or service providers).

# 1. PURPOSE AND SCOPE

- 1.1 This report was prepared for protection status decision makers by the Department of Foreign Affairs and Trade (DFAT). It provides a factual overview distinct from Australian Government policy and does not contain policy guidance for decision makers.
- 1.2 According to Ministerial Direction 84 of 24 June 2019, issued under the *Migration Act 1958*:
  - 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.
- 1.3 The report was prepared with regard to the current protection visa caseload without reference to individual applications. It provides DFAT's best assessment at the time of writing.
- 1.4 The report draws on in-country knowledge and discussions. It takes into account reporting from a range of credible sources including: other governments, United Nations agencies, human rights and civil society organisations, local and international media and academia. Source details may be omitted to protect sources.
- 1.5 This Country Information Report replaces the previous DFAT report on Fiji published on 20 May 2022.

# 2. BACKGROUND INFORMATION COUNTRY OVERVIEW

- 2.1 The Republic of Fiji is an archipelago of 332 islands in the south-west Pacific. Fiji was a British Crown Colony from 1874 until 1970, when it obtained independence. Colonial rulers imported indentured labourers from India to work on sugar plantations, resulting in a large population of Indian descent.
- 2.2 Fiji has experienced four military coups since independence, most recently in 2006. Inter-ethnic tensions between indigenous Fijians ('iTaukei') and Indo-Fijians were a major factor in each. In 2000, iTaukei businessman George Speight and soldiers belonging to the Counter Revolutionary Warfare Unit (CRW) orchestrated a coup against the Indo-Fijian prime minister, Mahendra Chaudhry. Speight justified the coup as a response to perceived threats to iTaukei interests. Chaudhry and other members of parliament (MPs) were held hostage for 56 days, during which Indo-Fijian businesses were looted and burned. Speight's coup was put down by the military. Incidents of this nature are uncommon today and Fiji has achieved a high degree of inter-ethnic coexistence. Speight was convicted of treason and sentenced to death, commuted to life imprisonment. He was pardoned and released in September 2024.
- 2.3 The leader of the 2006 coup, Frank Bainimarama, became interim prime minister in 2007. The 1997 Constitution was abrogated in April 2009, replaced with public emergency regulations. A new Constitution, promulgated in 2013, lowered the voting age from 21 to 18 and abolished the allocation of parliamentary seats by ethnicity, the unelected upper house of parliament (Senate) and Great Council of Chiefs (GCC), a traditional iTaukei leadership body.
- Bainimarama's FijiFirst party won democratic elections in 2014 and 2018. The 2022 election returned a hung parliament. FijiFirst won a plurality of seats but not enough to form government. It transferred power peacefully to a coalition of the People's Alliance Party (PAP), led by Sitiveni Rabuka, the National Federation Party (NFP), led by Indo-Fijian Biman Prasad, and the Social Democratic Liberal Party (SODELPA), led at the time by Viliame Gavoka. Rabuka replaced Bainimarama as Prime Minister. Rabuka, a former military officer, led two coups in 1987 and previously served as prime minister from 1992 to 1999. As part of its 2022 election campaign, the PAP pledged to amend the 2013 Constitution and restore the GCC. Processes to amend the constitution were ongoing at the time of writing. The GCC was restored in May 2023.
- 2.5 Bainimarama was imprisoned in May 2024 for attempting to pervert the course of justice by obstructing a corruption investigation while prime minister. He was released in November 2024, serving six months of a 12-month sentence, but, at the time of writing, was facing trial for other alleged offences. FijiFirst was deregistered as a political party in July 2024 for failing to amend its party constitution to meet the requirements of the *Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013*.
- 2.6 Fiji is a conservative, religious and patrilineal society where traditional gender roles are entrenched. Rates of <u>domestic violence</u> are high. <u>Diverse sexual orientations and gender identities</u> attract stigma. Freedoms of opinion, association and assembly have improved since December 2022. Freedom of <u>religion</u> is well established.

## **DEMOGRAPHY**

- 2.7 Fiji has a population of 901,000. At the time of the 2019-20 Household Income and Expenditure Survey by the Fiji Bureau of Statistics (the most recent), over half the population was aged under 30, less than 10 per cent over 60. The median age in 2025 was 28 years. There is a roughly even split between men and women. The fertility rate (the average number of children born to a woman over her lifetime) was 2.21 in 2024.
- 2.8 Fiji comprises two main islands, Viti Levu and Vanua Levu, and smaller groups of islands organised into regional clusters. Two-thirds of Fiji's 332 islands are uninhabited. Over 70 per cent of Fijians reside on Viti Levu, which includes major population centres Suva (the administrative capital), Nadi and Lautoka. Nearly 60 per cent of Fijians live in urban areas. Cities are relatively small. The greater Suva area, including the towns of Nasinu, Nausori and Lami, has over 300,000 residents. Labasa, the most populous city on Vanua Levu, has a population of 50,000.
- 2.9 For ethnic demography, see <u>Race/Nationality</u>. For religious demography, see <u>Religion</u>.

## **ECONOMIC OVERVIEW**

- 2.10 The World Bank classifies Fiji an upper-middle income country. Gross Domestic Product (GDP) per capita is FJD15,200 (AUD10,300). Tourism accounts for 40 per cent of national GDP and supports 150,000 jobs. Services account for 67 per cent of Fiji's economy, followed by industry (20 per cent) and agriculture (13 per cent). Much economic activity is informal. Remittances are an important source of national income (10 per cent of GDP). Fiji sits in the UNDP's 'high human development' category, indicating a long and healthy life expectancy, access to knowledge and decent standard of living.
- 2.11 The COVID-19 pandemic weighed heavily on Fiji's economy, causing it to contract over 20 per cent in 2020 and 2021. Fiji's economic performance since has been robust. Buoyed by the return of international visitors, the economy expanded 20 per cent in 2022 and 8 per cent in 2023. Growth has subsequently moderated but remains steady (3.6 per cent in 2024). The International Monetary Fund (IMF) projects growth of 2.6 per cent in 2025 and 2.8 per cent in 2026. Year-on-year inflation was 1.5 per cent in March 2025, below the Reserve Bank of Fiji's 3 per cent target.
- 2.12 Thirty per cent of the population lived below the Basic Needs Poverty Line (FJD41.91, or AUD28.20, per adult per week) at the time of the 2019-20 Household Income and Expenditure Survey (the most recent). The Survey found poverty was twice more likely in rural areas. Over 99 per cent of the population had access to electricity in 2023. In the same year, 86.5 per cent of adults had a bank account, up from 60 per cent in 2014.
- 2.13 Emigration and participation in regional labour mobility pathways like those administered by Australia and New Zealand is attractive for many Fijians (see <a href="Employment">Employment</a>). Between January 2022 and February 2024, the government recorded over 62,000 resident departures (of which 46,000 were to Australia and New Zealand). Remittances notwithstanding, in-country sources reported out-migration created skills shortages, including in trades and professions. The Reserve Bank of Fiji reported in March 2025 labour market pressures had eased thanks to lower emigration and increased numbers of foreign workers.

## **Land rights**

- 2.14 Fiji's land rights system emphasises indigenous ownership and customary land tenure. Land rights are governed by various laws, including the *iTaukei Lands Act 1905* (last amended 2013), the *iTaukei Land Trust Act 1940* (last amended 2023), the *State Acquisition of Lands Act 1940* (last amended 2016), the *State Lands Act 1945* (last amended 2023), the *Land Development Act 1961* (last amended 2023), the *Agricultural Landlord and Tenant Act 1966* (last amended 2016), the *Land Transfer Act 1971* (last amended 2020), the *Land Sales Act 1974* (last amended 2023) and the *Land Use Act 2010* (last amended 2011).
- 2.15 Land is divided into three categories: native, crown and freehold. Native land is owned communally by indigenous Fijian clans known as *mataqali* consisting of family groups (*tokatoka*) related by marriage. Crown land is held by the state. Freehold land is privately-owned and open for purchase by all Fijians. The alienation of native land has been prohibited since colonial times and, according to the 2013 Constitution, may be sold only to the state where required for a public purpose. In 2025, approximately 90 per cent of Fiji's land was held by customary owners, 6 per cent was freehold and 4 per cent crown land.
- 2.16 Native land is held in a statutory trust by the iTaukei Land Trust Board (TLTB) and can be leased for agricultural, residential or commercial purposes. The leasing of native land is administered by the TLTB, which collects and distributes revenue to landowners. All lease applications for native land must be submitted to and approved by the TLTB (applications take about six weeks to process). Crown land may also be leased. According to in-country sources, native land was typically leased for 99 years. Crown land was leased for between 50 and 99 years, depending on the purpose of the lease. Leases can be bought and sold with the consent of the relevant agency. A tenant can be evicted where the land is not maintained or not used for its intended purpose. Disputes over leasing agreements relating to native land are mediated and resolved through the TLTB. Its decisions can be appealed through the courts.
- 2.17 Informal land use occurs, typically with the consent of the landowner (e.g. extended family using the land without a formal lease agreement). Informal land users have few legal rights and may be asked to leave at any time. In-country sources reported <u>internal migration</u> had caused a proliferation of informal land settlements, particularly in Suva. The government provides informal settlements access to electricity and water.

2.18 In-country sources said corruption in the land lease process was uncommon. They cited a specific example of a village chief bypassing the TLTB to directly lease land to settlers to build an informal settlement, although this was not widespread nor considered corruption. In-country sources were not aware of village chiefs corruptly giving land to developers.

## **Employment**

- 2.19 The 2013 Constitution stipulates every person has the right to fair employment practices, including humane treatment, proper working conditions and a just minimum wage. The *Employment Relations Act 2007* prohibits discrimination against any worker or prospective worker on the grounds of <u>race</u> or ethnicity, <u>gender</u>, <u>religion</u>, <u>political opinion</u>, age, marital status, pregnancy, family responsibilities, <u>sexual orientation</u>, trade union membership, <u>disability</u> and health status, including real or perceived <u>HIV</u> status.
- 2.20 Employers are legally obligated to pay men and <u>women</u> equal remuneration for work of equal value. The *Employment Relations Act 2007* entitles workers to paid annual and sick leave. Women giving birth are guaranteed 98 consecutive days paid maternity leave (at full pay for the first three births, at half pay for a fourth birth onward). The Employment Relations Tribunal and Employment Relations Court mediate employment-related disputes. The statutory retirement age is 60. The minimum employment age is 15 (some exceptions, with strict conditions, apply).
- 2.21 Fiji has ratified all nine of the International Labour Organization's (ILO's) fundamental conventions, including conventions relating to the elimination of forced labour, freedom of association and right to organise. Under the 2013 Constitution, workers have the right to form or join a trade union and the right to bargain collectively. Trade unions, including the Fiji Trades Union Congress and the National Union of Workers, are active. Union membership cannot be compelled.
- 2.22 Fiji has a working age population of 600,000, with a labour force participation rate of 60 per cent. Men's rate of participation is twice that of <u>women's</u>. Of those in formal employment, women (71.1 per cent) are more likely to be in waged or salaried work than men (67.3 per cent). The services sector is the largest employer (55 per cent of the labour force), followed by agriculture (30 per cent) and industry (14 per cent). At the time of writing, the hourly national minimum wage was FJD5 (AUD3.50). People earning less than FJD30,000 (AUD20,200) annually do not pay income tax.
- 2.23 According to the ILO, 43.6 per cent of Fiji's workforce was employed informally in 2024. Most informal economic activity involves agriculture, forestry, fishing and market vending. As a share of workers in the informal sector, men (44.74 per cent) outnumber women (41.46 per cent). People working informally lack legal protections and regular income.
- 2.24 Fiji participates in the Pacific Australia Labour Mobility (PALM) scheme. PALM allows eligible Australian businesses to fill labour gaps in rural and regional Australia by recruiting unskilled to semi-skilled workers from Pacific Island states and Timor-Leste for between nine months and four years. Most recruits work in the agriculture, horticulture, meat processing and aged care industries. They can join a union. PALM workers must spend a mandatory period outside Australia after completing a placement and before commencing a new placement (three months in the case of short-term contracts, six months for long-term ones). In May 2025, 5,320 Fijians were working in Australia under the PALM scheme (the second largest cohort). Men are more likely to participate in labour mobility schemes than women. While making a significant economic contribution through remittances, in-country sources said outward migration, including through PALM and other regional schemes, had contributed to labour shortages in Fiji.
- 2.25 Unemployment in Fiji was 4.7 per cent in 2025, higher among those aged 15 to 24. The IMF projects unemployment of 4.5 per cent in 2026. In-country sources said employment was available, to the extent Fiji was importing labour, including from India, Bangladesh and the Philippines, to fill shortages. Labour shortages created opportunities for people over retirement age. To fill gaps, the government raised the retirement age for some civil servants. In-country sources reported retired teachers and nurses being re-hired. Internal relocation for employment purposes, particularly from rural to urban areas, is extremely common.

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### Welfare

- 2.26 The 2013 Constitution provides a right to social security, including support from public resources for those unable to support themselves and their dependents.
- 2.27 Fiji has a well-established, non-discriminatory social protection system. The core system comprises cash transfers and other forms of assistance, including, in some cases, food assistance, for low-income families (the bottom 10 per cent of households by income), vulnerable children (including children with single parents, living with a guardian or in foster care), people with <u>disability</u> and pregnant women in rural areas and high-risk mothers (including <u>single mothers</u>). A social pension scheme for people over 65 not receiving any other superannuation or pension and bus fare subsidies also form part of the core system.
- 2.28 In the 2024-25 financial year, welfare payments (not including food assistance and bus subsidies) ranged from FJD33 (AUD22) to FJD150 (AUD101) per month. Payments increased 5 per cent in 2025-26. Many beneficiaries, including those on a social pension, are entitled to free prescription medication under the <a href="Free Medicine Program">Free Medicine Program</a>. The government also provides housing assistance and energy subsidies to vulnerable families, including single mothers. According to the World Food Programme, Fiji has well-developed, countrywide targeting and registration systems, identity management and established payment and delivery mechanisms for the transfer of cash-based social protection.
- The Fiji National Provident Fund (FNPF) is Fiji's superannuation fund. The FNPF is legally mandated to collect compulsory contributions from employees and employers to provide for income after retirement. FNPF members can make withdrawals pre-retirement for housing, education, medical, unemployment and funeral assistance if needed. FNPF membership is compulsory for formally employed workers between the ages of 15 and 60. People working in the informal sector, who are self-employed or working overseas, may join the FNPF voluntarily. A birth certificate, Tax Identification Number (TIN), passport photo and FJD10 (AUD7) opening deposit are needed for a voluntary account. FNFP membership is open to returnees from abroad. FNPF savings can be fully withdrawn on retirement, medical incapacitation or emigration (if subsequently re-employed in Fiji, an individual can rejoin the FNPF). In 2023, 62.4 per cent of adults were active FNPF members. According to the ILO, all Fijians above retirement age receive some form of pension.
- 2.30 <u>iTaukei</u> can typically utilise kinship networks in times of need. In-country sources said these networks were very strong. It is uncommon for <u>older</u> Fijians, for example, to live alone. During periods of economic distress, iTaukei can generally return to their villages and extended families and participate in subsistence farming. Extended kinship networks were not as strong among <u>Indo-Fijians</u> according to in-country sources from that community. <u>Remittances</u> can provide additional support.

#### **Education**

- 2.31 The 2013 Constitution codifies the right to early childhood, primary, secondary and further education. Early childhood, primary and secondary education are compulsory. Education at the primary and secondary levels is supported by a free education grant and other initiatives to make it accessible and free for all students. Instruction is in English. Religious instruction is permitted but not mandatory. Schools are available for students with <u>disability</u> in urban areas. A <u>birth certificate</u> is needed to access education.
- 2.32 The provision of education is a joint responsibility of communities and the state. Approximately 99 per cent of primary and secondary schools are owned and managed by faith-based organisations, cultural groups and communities. Schools are governed by management committees, which are responsible for the school's registration, adherence to government regulations, facilities and finances. School owners are responsible for building maintenance but may apply for government grants to support works. Many schools are in poor condition.
- 2.33 Schools operate countrywide. Availability and quality are generally better in urban areas, although in-country sources did not consider variation in quality according to geography to be significant. The same sources said it was very common for students to move between islands for education. Some maritime areas did not have secondary schools and students from these areas moved to other islands to attend boarding school or stay with family. Some families relocate with their children.

- 2.34 While education is free, out-of-pocket costs may apply (e.g. for uniforms). Textbooks are free and students receive a transport concession. Free boats and engines are provided for students attending maritime schools not accessible by bus. Enrolment and completion are universal at the primary level. Boys, particularly iTaukei, are more likely to drop out of secondary school than girls. In-country sources said dropouts usually occurred due to family pressure to work and contribute financially rather than the cost of education.
- 2.35 Tertiary and technical and vocational education and training (TVET) are available. Fiji has three major universities: Fiji National University (FNU), the University of Fiji and the University of the South Pacific (USP). The USP is a regional university with its main campus in Suva. TVET is accessible at the secondary and tertiary levels (FNU and USP are dual stream institutions).
- 2.36 The Tertiary Scholarships and Loans Service (TSLS), a statutory body, provides scholarships, loans and grants for tertiary and vocational study. Applications are open to all Fijians. A scholarship scheme exists specifically for students with <u>special needs</u> to pursue post-secondary education, covering tuition fees and stipends for accommodation, meals and school supplies. In 2025, the TSLS issued more than 20,700 scholarships, loans and grants (55 per cent of new scholarships went to female students). In-country sources said scholarships were merit based.
- 2.37 Improving the quality of education services is a government priority. Education and skills development was allocated FJD778 million (AUD524 million) in the 2024-25 national budget, the single largest allocation by sector. Shortages of qualified teachers, including due to emigration, remain a challenge.
- 2.38 DFAT assesses Fijians can access education without discrimination, including on ethnic or religious grounds.

## Health

- 2.39 The 2013 Constitution enshrines a right to healthcare, including reproductive healthcare and emergency medical treatment. Fiji has a high burden of non-communicable diseases, accounting for more than 80 per cent of all deaths. Almost one in three Fijians are diagnosed with diabetes. Infectious disease outbreaks occur.
- 2.40 Most health facilities provide family planning services. Condoms and female contraceptives, including the pill and injectable contraceptives, are available. In-country sources said the use of contraceptives, particularly condoms, was low. Most live births are performed by health professionals. The maternal mortality rate is 39 per 100,000 live births. Childhood vaccination rates are consistently high. Life expectancy is 68 years (women's life expectancy is greater than men's).
- 2.41 Healthcare in Fiji is delivered through public hospitals offering tertiary and secondary care, a countrywide network of public health centres and nursing stations administering primary care and private providers, including hospitals and general practitioners (GPs). Healthcare through the public system is free or highly subsidised. Healthcare services are available countrywide. The best medical facilities are in Suva, Nadi and Lautoka. People in outer areas requiring more complex care must travel to cities. This can be inconvenient but not insurmountable.
- Nursing stations, typically staffed by a single registered nurse, provide basic primary healthcare, including maternal, child health and family planning. They also provide domiciliary care for patients discharged from hospital. Nursing stations are located primarily in rural areas. At the time of writing, there were 101 nursing stations across Fiji, with a catchment population of between 100 and 5,000 each. Nursing stations refer patients to health centres, which provide comprehensive primary healthcare, including cervical cancer prevention and screening and treatment for most sexually transmitted infections.
- 2.43 Health centres are located in both rural and urban areas (86 at the time of writing). At a minimum, health centres are staffed by a doctor or nurse practitioner and registered nurse. The number of staff can range from two to 20, depending on the catchment population. Health centres may include a pharmacy, dietician, laboratory, x-ray department and dental unit. Health centres refer to 16 sub-divisional hospitals, which provide secondary care, including inpatient and outpatient services.
- 2.44 Complex cases are referred to three divisional hospitals in Suva, Lautoka and Labasa. These provide tertiary and specialist care, including radiology, cardiology, oncology and renal dialysis. The Colonial War Memorial Hospital in Suva is Fiji's national referral hospital.

- 2.45 There are three Suva-based specialised hospitals: St Giles, which provides <u>psychiatric</u> care; P.J. Twomey, for patients with tuberculosis and leprosy; and Tamavua, for patients with long-term rehabilitation care needs (e.g. patients recovering from strokes and accidents).
- 2.46 The public healthcare system includes community health workers, who conduct outreach, awareness-raising and follow-up at the local level, including home visits in remote areas. Medical Services Pacific, an NGO, provides free and confidential clinical and social services through clinics in Suva, Labasa and Lautoka while operating a mobile outreach service to remote communities. Its services are available to all.
- 2.47 Beyond some services at St Giles Hospital in Suva, the government did not provide dedicated rehabilitation services for drug users and people who were alcohol-dependent at the time of writing. In-country sources reported a standalone private clinic for drug addicts in Suva and some community-based rehabilitation services but could not speak to their effectiveness. They said opioid substitution therapy was not available.
- 2.48 In-country sources said Fiji's public healthcare system was under growing strain, with deteriorating infrastructure, limited resources and workforce capability gaps, including because of low pay and labour mobility. Outbreaks of HIV, sexually transmitted infections and hepatitis C were stretching resources. Complex tender processes and stock outages meant regular shortages of basic equipment, medicines and supplies. Primary healthcare facilities were often ill-equipped and poorly staffed, placing downward pressure on public hospitals.
- 2.49 Conditions and care are superior and wait times shorter in the private system, although costs can be prohibitive for the average Fijian. Private hospitals provide primary, secondary and tertiary healthcare, including specialised procedures like heart bypass surgery (which costs up to AUD11,000). Private hospitals are concentrated in urban areas, mostly in the Central and Western divisions. In-country sources said those with financial means sought care through the private system (or abroad).
- 2.50 Some private hospitals operate general practices. Pacific Specialist Healthcare (situated in Nadi and Suva) advertises GP consultations for a fee of FJD7.50 (AUD5). There are approximately 130 private GP clinics across Fiji. Households earning less than FJD30,000 (AUD20,200) can obtain free services from participating private GPs, dentists and medical laboratories under a government-financed public-private partnership.
- 2.51 Most medicines prescribed in Australia can be obtained in Fiji. Some may be hard to find occasionally, including because of stock outages. Medicines for common conditions (cholesterol, high blood pressure, influenza, diabetes) are generally available and affordable. Under the Free Medicine Program, low-income Fijians, including those on a <u>social pension</u>, can access prescription medicines for free from government pharmacies and select retail pharmacies. There is no treatment for hepatitis C. The government reported in January 2025 over 95 per cent of the population had received two doses of a COVID-19 vaccine. See HIV for availability of HIV treatments.
- 2.52 According to in-country sources, hospital patients received a summary report on discharge. These reports typically included the date of and reason for admission, diagnosis, treatment received and, if necessary, required follow-up care. Discharge reports are free. Fees may apply where a patient requests a formal medical report for legal, employment, insurance or other specific purposes.
- 2.53 DFAT assesses there is no discrimination on ethnic, religious or other grounds in accessing healthcare.

#### **Mental Health**

- Data on the prevalence of mental illness in Fiji are limited. The government reports schizophrenia and mood disorders are the most commonly diagnosed forms of mental illness. A growing number of cases are linked to drug abuse. UNICEF reports mental health issues, including suicide, among children and adolescents. According to the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, suicide is among the most common causes of death among Fijian teenagers and youths. Bullying, both at school and online, and substance abuse are contributory factors.
- 2.55 The *Mental Health Act 2010* provides for the treatment, management, rehabilitation and protection of people with mental illness. It mandates access to mental healthcare for all, including people in custody. Electroconvulsive therapy is permitted with a patient's informed consent or, in the case of an involuntary patient who does not consent or is incapable of giving consent, the decision of a medical tribunal. Discrimination on the

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grounds a person has, or had, a mental disorder or illness, or was an inpatient at a mental health facility, is prohibited by the *Mental Health Act 2010*.

- 2.56 Mental healthcare services are available from government and non-government providers, mostly on Viti Levu and Vanua Levu. Some cater specifically to victim-survivors of gender-based violence, LGBTQIA+ people and youth. Fiji's sole dedicated psychiatric facility, St Giles Hospital in Suva, provides inpatient and outpatient services for people experiencing severe mental health symptoms. Drug and alcohol abuse was the most common reason for admission at St Giles in 2024. St Giles has approximately 100 beds. In-country sources said St Giles could not keep up with the demand for mental healthcare services linked to a spike in drug addiction. An in-country source familiar with Fiji's health sector described St Giles' outpatient department as 'very good'.
- 2.57 Divisional and sub-divisional hospitals operate psychiatric wards known as 'stress management wards'. These provide short-term care, including inpatient services, for people experiencing 'stress and mild mood disorders'. Health centres can provide some mental healthcare but may not always be trained to do so and often refer patients to St Giles or prescribe psychotropic medicines. Nursing stations provide limited mental healthcare services.
- 2.58 Community Mental Health Teams operate across Fiji and coordinate assessments, referrals, admissions and follow-up. NGOs (e.g. Empower Pacific, Lifeline Fiji, Youth Champs for Mental Health) offer counselling, referral and other services, including toll-free helplines. The Fiji Alliance for Mental Health, an NGO, undertakes advocacy, training and de-stigmatisation. Common psychotropic medicines are generally available and affordable. Low-income Fijians qualify for free prescription medicines (see Health).
- 2.59 In-country sources said mental healthcare beyond St Giles and hospital stress management wards was extremely limited. Fiji lacks mental health professionals: there were five psychiatrists on the Fiji Medical Council's Medical Practitioner Register in 2024. DFAT understands there are few trained and registered psychologists. In-country sources reported most counselling services were provided by NGOs. Even in major urban areas, mental healthcare services were limited. Those in rural and remote areas were largely non-existent.
- 2.60 Mental illness attracts some stigma, particularly in rural areas. In-country sources reported greater acceptance of mental illness in cities, where it was spoken about more openly and people were more likely to seek treatment. In contrast, local-level attitudes had not shifted significantly. It was common for iTaukei people to equate mental illness with 'madness' and, where it existed, the preference was to conceal it. According to the government, many people believed mental illness was caused by moral transgressions, witchcraft or black magic. Some sought to hide family members with severe illness because of shame. These attitudes and beliefs can discourage people from being open about their illness and seeking support. Where support is sought, alternative treatments are popular, particularly in rural areas.

#### HIV

- 2.61 In 2023, 0.4 per cent of Fijians aged between 15 and 49 were living with HIV according to UNAIDS. Sexual transmission is the primary means of infection. People who inject drugs are a growing cohort. Three-quarters of people with HIV in Fiji are men.
- The *HIV/AIDS Act 2011* prohibits direct or indirect discrimination against a person with HIV/AIDS, including in the context of employment and housing, stigmatisation and denial of means of protection, including access to post-exposure prophylaxis (PEP). The law provides for confidentiality of information relating to HIV testing, treatment and care. It is illegal under the *Employment Relations Act 2007* to discriminate against a worker or prospective worker based on real or perceived HIV status. Committing an act likely to spread the infection of a disease dangerous to life is punishable by two years' imprisonment under the *Crimes Act 2009*.
- 2.63 In 2024, Fiji recorded 1,583 new HIV cases and 126 HIV-related deaths. The increase in new infections prompted the government to declare an HIV outbreak in January 2025. In-country sources attributed the rise in identified cases to an increase in <u>intravenous drug use</u> (including the practice of '<u>bluetoothing</u>'). They also cited societal factors like poor sex education, high-risk sexual behaviours, gender inequality and <u>gender-based violence</u> (which affected women's ability to make choices on condom use), stigma and low public awareness. According to UNAIDS, 54 per cent of people living with HIV in Fiji knew their status, well below its 95 per cent target. HIV rates among the prison population have spiked since 2024.

- 2.64 HIV testing and treatment are available, although in-country sources said tests and antiretroviral therapy (ART) were occasionally out of stock while access to pre-exposure prophylaxis (PrEP) was limited to couples planning to start a family. Excluding private clinics, screening, confirmatory and viral load tests are free. In 2024, 44.9 per cent of HIV-positive Fijians were receiving ART. ART is free through the public system. Limited rehabilitation services are available to people who use drugs (see <a href="Health">Health</a>). There were no exchange programs for needles and syringes at the time of writing.
- 2.65 Community organisations, with government and foreign donor support, play integral roles in promoting HIV awareness and prevention in Fiji, including among marginalised groups (e.g. sex workers) and in geographically remote areas. In-country sources reported funding for these groups had declined in line with international trends but noted the government had allocated FJD10 million (AUD6.8 million) for HIV in the 2025-26 national budget. Local media reported in May 2025 nearly 50 per cent of Fijians diagnosed with HIV were not returning for follow-up treatment and care.
- 2.66 People with HIV may experience societal stigma if their HIV status is known, particularly if also drug users and/or sex workers. Fear of stigma may deter early HIV treatment or result in delayed care. In-country sources did not report fear or stigma among health professionals in the delivery of care to HIV patients. See <a href="Sexual Orientation">Sexual Orientation</a> and Gender Identity for broader risks.

#### **People with Disability**

- 2.67 Over 113,000 people (14.3 per cent of the population) experienced disability at the time of the most recent census (2017). Fiji defines 'disability' as a long-term physical, mental, intellectual or sensory impairment that hinders one's full and effective participation in society on an equal basis with others. This includes autism, dementia, dyslexia, depression, epilepsy, schizophrenia, obsessive compulsive disorders, eating disorders, chronic fatigue syndrome and rheumatoid arthritis. Non-communicable diseases like diabetes and cardiovascular disease have led to increased rates of amputation and visual, hearing and intellectual disabilities in Fiji.
- 2.68 After ratifying the Convention on the Rights of Persons with Disabilities in 2017, Fiji passed the *Rights of Persons with a Disability Act 2018*. The latter prohibits discrimination on the grounds of disability, as do the 2013 Constitution and *Employment Relations Act 2007*. People with disability have a constitutional right to reasonable access to all places, public transport and information and to use sign language, braille or other appropriate means of communication. They also have a right to the reasonable adaptation of buildings, infrastructure, vehicles and working arrangements to enable their full participation in society.
- 2.69 People with disability have full and equal rights under the law to <a href="health">health</a>, <a href="education">education</a>, <a href="health">employment</a>, <a href="social protection">social protection</a>, protection from exploitation, violence and abuse, including <a href="gender-based violence">gender-based violence</a>, and participation in public and cultural life. Where these rights are violated, remedies may be sought through the High Court. The National Council for Persons with Disabilities, a legally mandated body, advises government on disability issues, develops policy and undertakes advocacy. <a href="MGOs">MGOs</a> provide support services, including the Fiji Disabled Peoples Federation, an umbrella body with community-based branches across the country.
- 2.70 The government provides a monthly allowance of FJD104 (AUD70) to people with permanent disability, who may also be eligible for other government-administered welfare programs. Other government support includes free healthcare and medicines, provision of assistive devices, university scholarships, training in income generation and support to run small businesses and find appropriate housing. Employers who hire people with disability are eligible for tax incentives. There are 17 'specially designated schools' catering exclusively to students with physical, cognitive or sensory disability (15 at the primary level and two vocational). All special schools are located in urban areas and places are limited. Around 400 mainstream schools enrol students with disability, including secondary-level students who completed their primary education in a special school. In-country sources said these schools had limited resources to provide inclusive education arrangements for children with disability.
- 2.71 People with disability are less likely than the general population to attend school or be in employment (including due to stigma and discrimination) and experience higher rates of poverty. Public transport is generally not conducive to unaided disability access, limiting mobility. Building regulations require new builds, including office spaces, to be accessible to people with disability. Most existing buildings, including schools and public health facilities, do not meet this requirement.

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- 2.72 Some negative attitudes about people with disability remain. As with mental illness, disability may be perceived as punishment for moral transgressions or the result of witchcraft or black magic, and feelings of shame may apply. However, Fijians generally treat people with disability with respect and compassion. In-country sources said families and communities were very protective. There was greater awareness of the challenges faced by people with disability. Efforts to promote inclusivity in the community and workplace were genuine. To the extent it occurred, neglect of people with disability was more likely in rural areas.
- 2.73 DFAT assesses people with disability face a low risk of official discrimination and a moderate risk of societal discrimination, including in the form of employment discrimination and difficulties accessing public buildings and transportation. Stigma is possible, particularly in remote areas, but depends on individual families and communities. While it may occur, DFAT is not aware of a pattern of violence against people with disability.

## **POLITICAL SYSTEM**

- 2.74 Fiji is a parliamentary democracy. Executive authority is vested in the president, who is head of state and commander-in-chief. The president is appointed through a parliamentary vote for a three-year term (two terms maximum). The incumbent, Ratu Naiqama Lalabalavu, assumed office in November 2024.
- 2.75 There are 55 MPs in the unicameral parliament. MPs are directly elected every four years based on proportional representation. MPs may belong to a political party or serve as independents. To qualify for parliament, a political party or independent candidate must secure at least 5 per cent of the national vote. Elections are by secret ballot based on universal suffrage. The voting age is 18. Elections are administered by the Fijian Elections Office. The party or coalition of parties with most parliamentary seats forms government, their leader becomes prime minister. The prime minister appoints and presides over the Cabinet. Except for the attorney-general, Cabinet members must be MPs. Parliamentary proceedings are chaired by an independent speaker who is not an MP.
- 2.76 Fiji's last parliamentary election was in December 2022. No party secured a majority. A coalition of three parties comprising the PAP (21 seats), NFP (five seats) and SODELPA (three seats), headed by Sitiveni Rabuka of the PAP, formed government. The change of government ended the prime ministership of Frank Bainimarama. At the time of writing, the opposition was led by Inia Seruiratu, an independent who was previously the parliamentary leader of Bainimarama's now defunct <u>FijiFirst party</u>. The latter won the most seats (26) at the 2022 election, albeit short of the majority needed to form government. The next election is scheduled for 2026.
- 2.77 Elections in Fiji are generally free, fair and orderly. A Multinational Observer Group led by Australia, India and Indonesia assessed Fijians were able to exercise their right to vote freely at the 2022 election. Observers found no significant irregularities or impediments and assessed the outcome broadly reflected voters' will. No violence was reported and power was transferred peacefully. The 2014 and 2018 elections were also deemed credible by international observers. The Economist Intelligence Unit ranked Fiji 81<sup>st</sup> out of 167 states and territories in its 2024 *Democracy Index*. Freedom House categorises Fiji as 'partly free' with respect to political rights and civil liberties. At the time of writing, the political situation in Fiji was stable.
- 2.78 Administratively, Fiji is divided into four divisions, 19 sub-divisions, 14 provinces, 17 districts and one self-governing dependency (Rotuma island). Urban areas are divided into 13 municipalities. Each province has a provincial council, which can make by-laws and levy rates. Provincial council heads are government-appointed. Members are elected or nominated for three-year terms by the iTaukei population of the province. Municipal councils are responsible for the provision of local services, including town planning, road maintenance, public transport and waste collection. Municipal-level elections have not been held since 2005. As part of its election campaign, the PAP committed to hold municipal elections during the current parliamentary term. At the time of writing, these had yet to be held.
- 2.79 A traditional system of governance functions in iTaukei communities, overseen by the Ministry of iTaukei Affairs. This includes hereditary chiefs of villages, districts and tribes, as well as traditional leaders of *matagali*.

## **Great Council of Chiefs (GCC)**

2.80 The GCC is an advisory body to government on <u>iTaukei</u> issues. Established by Fiji's colonial rulers to administer and enforce Native Regulations and formally instituted under the *iTaukei Affairs Act 1944*, then-prime minister Bainimarama suspended the GCC in 2007, accusing it of political interference and racial

incitement. It was formally abolished in March 2012. Prime Minister Rabuka restored the GCC in May 2023, saying it would be apolitical, inclusive and promote multicultural values. The GCC is considered the apex of traditional Fijian leadership. In its previous incarnation, it appointed the president and members of the now-abolished upper house of parliament.

- 2.81 The *iTaukei Affairs* (*Great Council of Chiefs*) Regulations 2024 stipulate the GCC's duty to review and formulate policies, laws and proposals relating to iTaukei rights, interests, health, welfare, order and governance as referred to it by the minister for iTaukei affairs. The reconstituted GCC has 51 members: the president, prime minister and minister for iTaukei affairs (*ex-officio* members), six members nominated by the minister for iTaukei affairs, three members nominated by the Council of Rotuma and 42 chiefs (three representing each of Fiji's 14 provinces). Members other than *ex-officio* members hold office for three years and cannot be officeholders in a political party. They are appointed by the president on the advice of the government. A chair is elected by GCC members for a three-year term and may stand for re-election. The Chair, at the time of writing, was Viliame Seruvakula, a former military officer and politician. Three of the GCC's current 51 members were women.
- 2.82 In-country sources said the powers of the reconstituted GCC were still being defined, including through public consultation. According to the government, one of the GCC's strategic objectives will relate to the elimination of <u>violence against women</u> and children. Indo-Fijians have historically viewed the GCC with suspicion, perceiving it as excluding minority rights. In-country Indo-Fijian sources said some within the community were concerned the GCC would promote affirmative policies in favour of iTaukei while others accepted it as a traditional leadership body. In-country sources said it was too early to say whether the GCC would aggravate inter-ethnic tensions. To date, it had not. While the GCC had recovered its status as a formal institution, it lacked its previous powers and authority. They did not view the GCC as taking the place of democratic institutions.

## Corruption

- 2.83 Transparency International ranked Fiji 50<sup>th</sup> out of 180 countries in its 2024 *Corruption Perceptions Index* (where one is perceived least corrupt and 180 most corrupt), an improvement of three places from a year earlier. In-country sources reported corruption existed but was not prevalent in everyday life. Fijians could generally obtain a public service without paying a bribe. The government took a zero-tolerance approach, citizens were actively encouraged to report corruption and, where corruption was uncovered, action was taken. In-country sources did not consider corruption prevalent in healthcare or the courts.
- 2.84 Fiji acceded to the UN Convention against Corruption in 2008. Corruption, including bribery, are criminal offences under the *Prevention of Bribery Act 2007* and the *Crimes Act 2009*. A penalty of up to 10 years' imprisonment applies (fines may be levied, too). The powers, functions and independence of Fiji's anti-corruption commission are constitutionally enshrined. The Fiji Independent Commission Against Corruption (FICAC) has broad authority to investigate and prosecute alleged acts of corruption in the public sector, including powers of arrest, search and seizure. It has a physical presence on Viti Levu (Suva, Lautoka) and Vanua Levu (Labasa). Investigations may be self-initiated or in response to a complaint. Anybody can lodge a complaint with FICAC, including electronically. Complaints are treated in confidence. FICAC is well-resourced, with a history of investigating and prosecuting high-level officials.
- 2.85 In-country sources said FICAC was experiencing a period of instability. In October 2024, a Commission of Inquiry (COI) was established to consider whether the appointment of FICAC's commissioner in September 2024 was 'conducted with integrity, fairness and transparency in accordance with the law'. According to in-country sources, the instability created by the COI's findings had the potential to undermine its effectiveness. The President revoked the FICAC commissioner's appointment in May 2025 consistent with the COI's recommendations.
- 2.86 Fiji does not have specific legislation relating to whistleblowers. In-country sources said all government ministries and agencies had whistleblower policies and protections, including whistleblower confidentiality, and internal processes for dealing with breaches of confidentiality.
- 2.87 In May 2024, former prime minister Bainimarama was found guilty of perverting the course of justice by interfering in a police investigation into alleged corruption at the USP while prime minister. Bainimarama was given a one-year prison sentence. He was released early in November 2024. Sitiveni Qiliho, Bainimarama's former commissioner of police, was found guilty of abuse of power in the same case and given a two-year prison sentence.

2.88 Since 2024, several high-ranking former FijiFirst officials (including former attorney-general and minister for civil aviation, Aiyaz Sayed-Khaiyum, former minister for fisheries and forestry, Kalaveti Ravu, former minister for health, Neil Sharma, and former CEO of the Fiji Broadcasting Corporation, Riyaz Sayed-Khaiyum) have been charged with a range of corruption offences, including abuse of office, breach of trust and receiving corrupt benefits for personal gain. In August 2025, FICAC charged the director of public prosecutions with abuse of office, including for allegedly receiving gratuity payments without approval. In April 2025, FICAC announced investigations into former board members of the Fiji Roads Authority for abuse of office, following allegations it spent large amounts of money through 'questionable decisions'. Several former officers at the Land Transport Authority (LTA) have been charged by FICAC and convicted of corruption-related offences, including in January 2025 (relating to the <u>fraudulent</u> issuance of driver's licenses).

2.89 While corruption may occur, it is not systemic. DFAT assesses the day-to-day risk of corruption for the average Fijian is low. See also Police.

# **HUMAN RIGHTS FRAMEWORK**

- 2.90 The 2013 Constitution contains a Bill of Rights. This protects the rights to life, personal liberty, equality, political belief, economic participation, health, education and social security, freedom from hate speech, arbitrary eviction and cruel and degrading treatment. Freedoms of movement, assembly, association, expression, peaceful demonstration and religious belief are also protected. The Bill of Rights prohibits direct or indirect discrimination on the grounds of race, culture, ethnicity, colour, place of origin, gender, sexual orientation, gender identity and expression, economic, social or health status, disability, age, religion, marital status, pregnancy and opinions or beliefs (provided these opinions or beliefs do not harm or diminish the rights and freedoms of others). Redress for breaches of these rights can be sought through the High Court. Some rights set out in the Bill of Rights may be temporarily limited during states of emergency, provided limits are consistent with Fiji's international legal obligations. Specific laws provide protections to people with disability, children and victims of domestic violence. The Information Act 2018 recognises the right to access information held by the government. Fundamental human rights are respected.
- 2.91 Fiji is a State Party to the nine core international instruments relating to human rights, including: the International Convention on the Elimination of All Forms of Racial Discrimination (ratified 1973), the Convention on the Rights of the Child (ratified 1993), the Convention on the Elimination of All Forms of Discrimination against Women (ratified 1995), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified 2016), the Convention on the Rights of Persons with Disabilities (ratified 2017), the International Covenant on Civil and Political Rights (ratified 2018), the International Covenant on Economic, Social and Cultural Rights (ratified 2018) and the Convention for the Protection of All Persons from Enforced Disappearance (ratified 2019). The government maintains a standing invitation for all UN Special Rapporteurs and other Special Procedure Mandate Holders to visit Fiji. In August 2024, Fiji announced the establishment of an interagency Human Rights Taskforce to strengthen its human rights framework and meet its international human rights and treaty reporting obligations. See also section on Fiji's National Human Rights Institution.

## **SECURITY SITUATION**

- 2.92 Fiji is stable and secure. Civil unrest is uncommon. The risk of terrorism is low. Most crime is opportunistic, with the highest incidence in major urban areas. In-country sources said robberies and muggings in Suva had increased with greater drug use. The intentional homicide rate was 2 per 100,000 people in 2020 (the latest available). Gun crime and gun violence are rare. Private gun ownership is limited. Civilian gun owners must be licensed and weapons individually registered, with firearms generally limited to people in farming areas with a license to hunt. There are few, if any, incidents recorded of firearms being used against members of the public. Police officers do not carry firearms.
- 2.93 Organised crime, including of a transnational nature, exists, primarily the smuggling of illicit drugs and money laundering but also encompassing illegal fishing, piracy and human trafficking. According to in-country sources, organised criminal networks posed minimal direct risk to the average person with no involvement in crime. Rather, the impacts were indirect and of a collateral nature (e.g. assault or robbery by a person addicted to drugs).

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- 2.94 Fiji is a transit point for illicit drugs (methamphetamine, heroin, cocaine) smuggled from Asia and South America to Australia and New Zealand. Some remain on the local market in response to domestic demand. Local cannabis production occurs. In-country sources said intravenous drug use, particularly of methamphetamine, had grown significantly in recent years. Drug use was felt keenly at a societal level, contributing to HIV, crime, prostitution, domestic violence (including marital rape) and family breakdowns. In-country sources reported a surge in hospital admissions by people seeking medical treatment for drug addiction, placing pressure on the healthcare system.
- 2.95 Drug use among youth has increased. Local drug syndicates have actively targeted young people, including schoolchildren, as users and distributors of drugs. Local anti-drug campaigners estimated one in three homeless children, including children as young as 10, were highly likely using methamphetamine or other hard drugs in 2024. According to the government's Substance Abuse Advisory Council, 2 per cent of students, including at the primary level, were using drugs and other substances in 2023. In-country sources said drug use was highly visible in Suva. They described a growing practice of 'bluetoothing', where drug users injected themselves with methamphetamine then drew blood from themselves for injection by other drug users, sharing their high. International media reported in March 2025 syringes loaded with methamphetamines were selling for FJD10 (AUD7) on Suva's streets.
- 2.96 In January 2025, the government said it was considering deploying military personnel to support police-led counter-narcotics efforts. The military had not been mobilised at the time of writing. In 2024, the government launched a five-year National Counter Narcotics Strategy, including the establishment of a Counter Narcotics Bureau to coordinate law enforcement efforts. Authorities made large drug seizures in 2024, including over four tonnes of methamphetamine with an estimated street value of FJD2 billion (AUD1.35 billion) in January 2024. In November 2024, the acting commissioner of police urged members of the public to share any information relating to the illicit drug trade and assured confidentiality. Some police officers have been implicated in the drug trade.
- 2.97 Fiji is a source, destination and transit county for human trafficking, including men, women and children who are subjected to forced labour and sexual exploitation. It is a criminal offence under the *Immigration Act 2003* and the *Crimes Act 2009* to traffic in persons. The latter prescribes penalties of between 12 and 25 years' imprisonment. The US Department of State, in its most recent *Trafficking in Persons Report* (June 2024), downgraded Fiji to Tier 2 Watch List, assessing Fiji did not fully meet minimum standards for the elimination of human trafficking but was making significant efforts to do so. The Department of State acknowledged Fiji's counter-trafficking efforts, including the conviction of two child sex traffickers and training of labour inspectors. It reported the government identified and assisted fewer trafficking victims from the previous reporting period and, overall, had not demonstrated increased efforts against human trafficking. It recommended Fiji develop and implement formal standard operating procedures for victim identification and referral.
- 2.98 There is no known organised people smuggling from Fiji to Australia.

# 3. REFUGEE CONVENTION CLAIMS RACE/NATIONALITY

- 3.1 Fiji has two primary ethnic groups: <u>iTaukei</u>, who are indigenous to Fiji, and <u>Indo-Fijians</u>, descendants of colonial-era sugar cane workers. At the time of the 2019-20 Household Income and Expenditure Survey, 62 per cent of the population was iTaukei and 34.2 per cent Indo-Fijian. Other, smaller ethnic groups live in Fiji, including people of Chinese descent and other Pacific Islanders.
- There are no legal restrictions or non-legal barriers to participation in public life based on race or ethnicity. The 2013 Constitution recognises all citizens of Fiji as 'Fijians' with equal status and rights and prohibits direct or indirect discrimination on the grounds of race, culture, ethnicity or colour. Some restrictions apply, most notably in relation to land ownership (non-indigenous groups are limited in their ability to purchase land). The 2013 Constitution acknowledges the unique cultures, customs, traditions and languages of indigenous Fijians and descendants of indentured labourers, settlers and immigrants. 'Girmit Day' (14 May), marking the arrival of Indians to Fiji as indentured labourers, is a public holiday. Under 2012 amendments to the *Public Order Act 1969*, it is illegal to incite racial hatred, including making intimidating or threatening statements about a race or ethnicity that may arouse fear, alarm or sense of insecurity among members of that race or ethnicity. Imprisonment of up to 10 years and financial penalties apply.
- 3.3 The English, Fijian and Hindi languages have official status. English is the primary language, including in government, business and <u>education</u>. iTaukei and Indo-Fijians generally speak Fijian and Hindi as their first language respectively. Both speak English as a second language. Fijian (an Austronesian language) has several dialects, the official language is based on the Bau dialect. The Hindi dialect spoken by Indo-Fijians ('Fiji Hindi') is different to Hindi spoken in India.
- 3.4 The 2013 Constitution removed racial aspects of the political system, including abolishing separate, ethnic-based voter rolls and race-based quotas for parliamentary seats. Previously, there were quotas for parliamentary seats allocated by ethnicity. Both major ethnic communities are represented in government.
- 3.5 Parallel ethnic communities have a long history in Fiji. The colonial government encouraged the separate development of ethnic communities that lived and were educated separately. While race remains an important factor in Fijian society, communities are much better integrated today. Schools are prohibited from calling themselves 'Indian' or 'Fijian'. Most schools, particularly in cities, are mixed. Inter-ethnic marriage occurs and, according to in-country sources, was not considered taboo. In-country sources described race relations as 'good' and said most Fijians were more concerned about the economy and cost-of-living pressures than anything else.
- 3.6 With the exception of land ownership, DFAT assesses, under current legislation, citizens of Fiji have full and equal political, civil, economic, social and cultural rights, regardless of race or ethnicity, and they exercise these rights in practice. While racist stereotypes exist and may manifest themselves in some low-level societal discrimination in the form of prejudice against a community, the risk of societal discrimination based on race or ethnicity is low overall. Fijians, regardless of race or ethnicity, have access to state protection and legal remedies and face a low risk of state or community-instigated violence.

#### iTaukei

- 3.7 iTaukei (indigenous Fijians) descend from Melanesian groups who arrived in western Fiji, and from Tongan, Samoan and other Polynesian groups who arrived in eastern Fiji, over the last several thousand years. iTaukei culture is a mix of Melanesian and Polynesian influences. It is traditionally hierarchical and patrilineal and structured into a system of families, tribes, clans and confederations.
- 3.8 As the majority, iTaukei enjoy considerable social, economic and political capital, historically dominating the security forces and public administration. The 2019-20 Household Income and Expenditure Survey found iTaukei were more likely to experience poverty than <a href="Indo-Fijians">Indo-Fijians</a>, although wealth is not concentrated in any one group. iTaukei own most of Fiji's land under the country's traditional <a href="Iand-ownership system">Iand-ownership system</a>.

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3.9 DFAT assesses there is no official discrimination against iTaukei. iTaukei may experience some low-level societal discrimination in the form of racist stereotypes held by Indo-Fijians and associated prejudices. This is not unique to iTaukei and the risk of societal discrimination is low.

## **Indo-Fijians**

- 3.10 Most Indo-Fijians are descendants of indentured labourers brought to Fiji during the colonial era. Some arrived later as free migrants. At points in Fiji's history, Indo-Fijians formed a majority (their population has declined with emigration, including in response to political unrest). While most Indo-Fijians trace their origins to northern India, a distinct Indo-Fijian culture has developed. Indo-Fijians are primarily Hindu but Muslim, Sikh and Christian communities also exist. Indo-Fijians are concentrated on Viti Levu and Vanua Levu.
- 3.11 Indo-Fijians have lived in Fiji for generations and are well-established in Fijian society. They own most large businesses and are highly active in medicine, law, politics and the civil service, including at the most senior levels. The current Deputy Prime Minister and Minister for Finance (since 2022), Biman Prasad, is Indo-Fijian. Other Indo-Fijians are represented in Cabinet. Mahendra Chaudhry, an Indo-Fijian, served as prime minister between 1999 and 2000. In-country sources from the Indo-Fijian community, both Hindu and Muslim, reported no official impediments to religious practice. Because of traditional land ownership, Indo-Fijians are limited in their ability to purchase land and generally have to lease it from indigenous Fijians. This can be sensitive for Indo-Fijians, despite their high economic participation and success. Overall, Indo-Fijians tend to be more prosperous than iTaukei. DFAT is not otherwise aware of official discrimination against Indo-Fijians based on race or ethnicity.
- 3.12 In-country sources reported concern among some Indo-Fijians over what they perceived as efforts by Prime Minister Rabuka to elevate iTaukei rights, including through the re-establishment of the GCC and pardoning George Speight and others responsible for the 2000 coup. Nevertheless, in-country Indo-Fijian sources said they felt comfortable in Fiji.
- 3.13 Indo-Fijians face official discrimination in the form of restrictions on their ability to enter into long term leases or purchase and own land outright. Indo-Fijians otherwise have equal rights as iTaukei, including access to services, state protection and legal remedies against discrimination on racial or ethnic grounds. Consistent with findings among iTaukei, Indo-Fijians may experience some low-level societal discrimination in the form of racist stereotypes held by iTaukei and associated prejudices. This is not unique to Indo-Fijians and DFAT assesses the risk of societal discrimination faced by Indo-Fijians to be low.

## RELIGION

- 3.14 The 2013 Constitution establishes Fiji as a secular state, guarantees freedom of religion and belief and prohibits direct or indirect discrimination on religious grounds. The state is constitutionally bound to treat all religions equally and cannot dictate any religious belief or prefer one religion over another. Every person has the constitutional right to manifest and practice their religion or belief in public or private worship, observance, practice or teaching. The 2013 Constitution provides religious communities the right to establish and maintain places of education, including the right to provide religious instruction. These rights are respected.
- 3.15 At the time of the 2019-20 Household Income and Expenditure Survey, 67 per cent of the population was Christian, 25 per cent Hindu and 6 per cent Muslim. Most Hindus belong to the Sanatani sect of Hinduism. Almost all Fijian Muslims are Sunni and subscribe to the Hanafi school of jurisprudence.
- 3.16 The US Department of State estimates 45 per cent of the population is Protestant, of which 35 per cent is Methodist. Most Methodists belong to the Methodist Church in Fiji and Rotuma. Other major Christian denominations include Roman Catholic (9.1 per cent), Assemblies of God (5.7 per cent) and Seventh-day Adventist (3.9 per cent). Small Sikh, Baha'i and Jewish communities exist.
- 3.17 Religious affiliation correlates closely with ethnicity. Most <u>iTaukei</u> are Christian, most <u>Indo-Fijians</u> are Hindu or Muslim. Relations between religious communities are generally good. Alongside Christian holidays like Christmas and Easter, Diwali and the Prophet Mohammad's Birthday are national public holidays. Inter-faith marriage occurs and is accepted.

- 3.18 There are examples of thieves breaking into Hindu temples, defacing artefacts and stealing money and other valuable items, including in April 2025, July 2023, January 2023, May 2022 and January 2022. The motives were not always clear but, for the most part, were likely opportunistic crimes and did not form a pattern. Authorities take such incidents seriously. A juvenile who tried to set fire to religious books and statues inside a family temple in May 2022 was charged with sacrilege. Courts have issued fines to parents of juveniles convicted of sacrilege of Hindu temples in historical cases.
- 3.19 Anti-Islamic sentiment may appear online (e.g. social media posts associating Muslims with terrorism). This typically does not hinder Muslims' day-to-day life.
- 3.20 DFAT assesses Fijians face a low risk of official or societal discrimination on the basis of their religion. Freedom of religion is well established. People of faith, including people belonging to religious minority communities, can worship and gather freely. State protection is available where needed.

# **POLITICAL OPINION (ACTUAL OR IMPUTED)**

- 3.21 Freedoms of speech, expression, assembly and association are constitutionally protected. These rights may be limited in the interests of national security, public safety, order, morality, health and the orderly conduct of elections. The 2013 Constitution enshrines the right of every Fijian to make free political choices, including the right to form or join a political party, participate in the activities of, and recruit members for, a political party and campaign for a political party, candidate or cause. It also enshrines free, fair and regular elections, a universal franchise for those aged 18 or over and the right to run as a candidate for public office. These rights are respected. There are no laws restricting participation in politics on <u>racial</u>, <u>religious</u>, <u>gender</u> or <u>sexual orientation</u> grounds.
- 3.22 Political parties are regulated by the *Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.* This requires political parties to register their activities with the Fijian Elections Office and meet specific criteria, including having at least 5,000 members distributed across the country. Public officials, trade union executives and foreign nationals are prohibited from party membership. Parties are required to disclose funding sources, expenditures and assets. Foreign donations and corporate funding beyond set limits are not permitted. The Act regulates party conduct, including prohibiting racial or religious discrimination. Penalties for breaches include deregistration, fines and imprisonment. There were seven registered political parties in Fiji at the time of writing.
- 3.23 As a multi-party democracy, different political views are represented in parliament. Political debates are robust. According to in-country sources, political freedoms had improved since the December 2022 change in government. People could freely criticise government policy. No political groups were banned at the time of writing, nor were there any reports of political prisoners or recent examples of politically motivated killings. See also <u>Country Overview</u> and <u>Political System</u>, including for the conduct of recent elections and current political configurations.
- 3.24 The FijiFirst party of former prime minister Bainimarama, which governed Fiji from 2014 to 2022, was deregistered as a political party in July 2024 for breaching the *Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013*. FijiFirst failed to amend its constitution to provide proper avenues to resolve internal disputes, a legal requirement. In-country sources reported nothing untoward the party's deregistration, stating FijiFirst essentially chose to deregister itself by not complying with the law. The 26 FijiFirst MPs remained in parliament as independents. Some subsequently aligned with the ruling coalition. In January 2025, the Leader of the Opposition and former head of FijiFirst, Inia Seruiratu, announced plans to form a new party to contest the 2026 election. Seruiratu said the new party would build on the values of FijiFirst, learn from the past and ensure it did not 'repeat the same mistakes'. This would include a less restrictive party constitution and greater dialogue and idea-sharing within its membership. Seruiratu confirmed former prime minister Bainimarama and former attorney-general Sayed-Khaiyum would not join the new party.
- 3.25 DFAT is not aware of any credible reports the Rabuka Government has harassed or ill-treated supporters, high or low-profile, of former prime minister Bainimarama and FijiFirst. Legal proceedings against Bainimarama, Aiyaz Sayed-Khaiyum and several others closely associated with Bainimarama and FijiFirst for alleged wrongdoing while in government were dealt with, or were in the process of being dealt with, by the <u>courts</u> in accordance with Fiji's laws (see <u>Corruption</u>). Bainimarama was suspended, and later resigned, from parliament after making comments in breach of parliamentary standing orders. In May 2024, Bainimarama received a one-year prison sentence for interfering in a police investigation and perverting the course of justice. He was released in

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November 2024. The 2013 Constitution precludes a person from running as a candidate for election to parliament where, in the eight years prior to being nominated, they were convicted of an offence for which the maximum penalty was a term of imprisonment of 12 months or more. In April 2025, FICAC cleared Bainimarama of wrongdoing following an investigation into whether he had broken the law by staying on as FijiFirst leader after his May 2024 conviction. Several senior officials associated with Bainimarama were replaced by the current government, although the changes largely followed proper process common following a change in government. In-country sources said people sympathetic to the former FijiFirst party faced no official or societal discrimination for their political views and could freely enter and exit Fiji.

- 3.26 DFAT is not aware of any reports of former prime minister Bainimarama or those loyal to him or FijiFirst pursuing for adverse scrutiny or attention Fiji nationals who publicly opposed him or his party at meetings, rallies or in the media (including social media) while in Australia since the change in government in December 2022.
- 3.27 Several legal procedures against critics of the former FijiFirst government, which commenced prior to December 2022, were discontinued or dismissed following the change in government. In July 2023, the Suva High Court dismissed contempt of court charges brought against prominent Suva lawyer and Bainimarama critic Richard Naidu by former attorney-general Sayed-Khaiyum. In July 2023, the Suva Magistrates' Court dismissed charges of vote buying against then-PAP deputy leader Linda Tabuya and former candidate Dan Lobendahn after FICAC dropped the case.
- 3.28 DFAT assesses the risk of official or societal discrimination, including harassment and violence, on the basis of actual or imputed political opinion to be low. This assessment applies to both high and low-profile individuals. Political parties, including opposition parties, are active, organised and operate freely. Questioning and prosecution of high-profile political figures associated with FijiFirst accused of breaking the law has followed due process.

## **People Involved in Military Coups**

- 3.29 People involved in historical military coups (1987, 2000, 2006) are unlikely to experience official or societal discrimination. Some have gone on to have successful political careers, including current Prime Minister Rabuka, who instigated coups in May and September 1987. Of Fiji's coup leaders, George Speight was imprisoned. Speight and other protagonists of the 2000 coup, including CRW soldier Shane Stevens, were pardoned and released from prison in 2023 and 2024 (Speight and Stevens in September 2024). There were no ongoing legal proceedings against them at the time of writing.
- 3.30 The 2013 Constitution provides immunity to those directly or indirectly involved in past coups. In relation to the 2006 coup, with some exceptions, any person who held political office or was a member of the Republic of Fiji Military Forces (RFMF), Fiji Police Force (FPF), judiciary and public service from 5 December 2006 (the date of the coup) to 6 October 2014 (the first sitting of the first parliament elected after the commencement of the 2013 Constitution) is immune from criminal prosecution and civil liability. Former prime minister Bainimarama, who orchestrated the 2006 coup, received a one-year prison sentence in 2024, albeit for an unrelated matter. See Political Opinion and Corruption.
- 3.31 In December 2024, parliament established a Truth and Reconciliation Commission to promote healing and facilitate truth-telling in relation to past military coups and associated political instability. The Commission commenced work in January 2025. It is not mandated to hold coup perpetrators accountable or provide compensation. In May 2025, Prime Minister Rabuka said he would cooperate fully with the Commission if summoned, including testifying about his role in past coups. See Military for RFMF-initiated reconciliation processes relating to the 2000 coup.
- 3.32 DFAT assesses people involved in historical military coups face a low risk of official or societal discrimination.

#### **Street Protesters**

3.33 The 2013 Constitution guarantees every person the right to assemble peacefully, demonstrate, picket and present petitions. This right may be limited in the interests of national security, public safety, order, morality, health and the orderly conduct of elections, as well as for the purposes of protecting the rights and freedoms of others and imposing restrictions on public officeholders. Organisers of meetings or processions in a public park or road must obtain a permit under 2017 amendments to the *Public Order Act 1969* (marriages and funerals are exempt).

Applications must be submitted at least seven days in advance. They may be refused if the applicant has previously failed to comply with conditions imposed with respect to a meeting or procession or if it is judged the meeting or procession will prejudice peace, public safety and good order or engage in racial or religious vilification. <u>Civil society organisations</u> were denied permits to march in support of the Occupied Palestinian Territories on public safety grounds in March 2023, November 2023 and October 2024.

- 3.34 Proceeding without a permit, contravening any conditions imposed in the granting of a permit or ignoring a police order and taking part in a protest endangering public safety, public order or impeding the provision of essential services carries a maximum five-year prison term, a fine of up to FJD10,000 (AUD6,750) or both. The *Public Order Act* 1969 authorises police to make arrests without warrant for incitement to violence and racial antagonism, disobedience of the law and spreading false news that creates public alarm, prejudices public safety and incites hatred of any class or person.
- 3.35 Street protests are uncommon but occasionally occur. Where they do, protests are small-scale and peaceful. In-country sources said the previous government used the *Public Order Act 1969* to restrict public protests by civil society organisations and opposition political parties. While permits may still be denied in some circumstances, these restrictions had been relaxed under the current government and citizens now had greater freedom to engage in peaceful protest. In October 2024, members of USP staff unions held a protest in Suva calling for the removal of the USP's vice chancellor. In August 2023, protests were held against Japan releasing nuclear wastewater into the Pacific Ocean. In March 2023, hundreds participated in a march to Parliament House in Suva calling for an end to domestic violence (police initially tried to stop the march but were overruled by the minister for home affairs and immigration). According to the government, 1,126 applications for permits were approved under the *Public Order Act 1969* in 2023, up from 752 in 2022.
- 3.36 DFAT assesses street protesters face a low risk of official or societal discrimination, including police violence, for participating in public protests. People who fail to comply with the *Public Order Act 1969* may be charged, imprisoned and denied permission to hold future protests. Where proper procedures are followed and permissions obtained, the right to peaceful public protest is respected.

## **Civil Society**

- 3.37 Fiji has a vibrant civil society. NGOs representing diverse interests operate freely, including groups promoting human, environmental, <u>women's</u>, <u>LGBTQIA+</u> and <u>disability</u> rights. <u>Trade unions</u> are active. The *Charitable Trusts Act* 1945 requires NGOs register with the state. NGOs may have their activities revoked or registration refused if registration was obtained through misrepresentation or fraud, or the NGO engages in unlawful activity. These provisions are rarely used.
- 3.38 State-instigated harassment, intimidation and arbitrary arrest of civil society activists, including human rights defenders, is uncommon. There have been instances of politicians accusing NGOs of politicisation and bias but this did not materially impact their operations or result in adverse consequences. DFAT did not identify a pattern of state interference in NGO activities.
- 3.39 DFAT assesses civil society activists face a low risk of official discrimination or violence.

#### **Media and Journalists**

- 3.40 Press freedoms in Fiji have ebbed and flowed, with media crackdowns routinely following military coups. The *Media Industry Development Act 2010*, which was repealed in April 2023, prohibited the media from publishing material deemed against the national interest, required journalists to disclose their sources on request and contained powers of search and seizure against media organisations and journalists. Two-year prison terms applied for non-compliance. According to in-country sources, the *Media Industry Development Act 2010* was highly restrictive, encouraged self-censorship and hindered reporting critical of government. The repeal of the Act fulfilled a key election commitment of the Rabuka Government. In-country sources said the operating environment for journalists had improved significantly since, as reflected in Fiji's sharp climb in the *World Press Freedom Index*. DFAT is not aware of recent arrests of journalists under the *Public Order Act 1969*.
- 3.41 The 2013 Constitution enshrines the right to freedom of speech, expression, thought, opinion and publication, including the freedom to seek, receive and impart information and freedom of the press. This right may

be limited in the interests of national security, public order, morality, health and the orderly conduct of elections. Freedom of speech, expression, thought, opinion and publication does not protect propaganda for war, incitement to violence or insurrection or promotion of hatred based on any prohibited ground of discrimination as defined by the 2013 Constitution (see <a href="Human Rights Framework">Human Rights Framework</a>). The 2013 Constitution protects the right of persons' reputation, privacy and dignity, including the right of persons 'injured' by inaccurate or offensive media reports to have a correction published. The 2013 Constitution also prevents the inappropriate disclosure of information received in confidence and attacks on individuals, groups, officers or institutions in a manner likely to promote ill will between ethnic or religious groups.

3.42 Fiji has a diverse media landscape, encompassing traditional and electronic media. The Fiji Broadcasting Corporation is the national public broadcaster, although private media organisations predominate. Transmissions of international broadcasters, including the Australian Broadcasting Corporation, Radio Australia, the British Broadcasting Corporation and CNN, are available. Media is accessible in English, Fijian and Hindi. As in many countries, the influence of mainstream media has declined with the uptake of social media (Instagram, TikTok and Facebook in particular). Media debates, online and off, are robust. Journalists can and do criticise government policies without fear of retribution. At the time of writing, no journalists or media workers were imprisoned because of their work. The Committee to Protect Journalists, an NGO based in the United States, has recorded no killings or disappearances of journalists or media workers in recent times in Fiji. Reporters Without Borders ranked Fiji 40<sup>th</sup> out of 180 countries in its 2025 *World Press Freedom Index* (an improvement of 66 places from 2022). This places Fiji in the top tier of countries for media freedom (Australia ranked 29<sup>th</sup>).

3.43 DFAT assesses journalists face a low risk of official discrimination or violence.

#### Social media

- 3.44 Internet use is widespread (90 per cent of the population). In January 2025, 60 per cent of Fijians used <u>social media</u>. The government does not censor online content. The *Online Safety Act 2018* prescribes maximum five years' imprisonment and financial penalties for posting online material causing serious emotional distress to a person, including material of an intimate nature. It established an Online Safety Commission to promote online safety and receive and investigate complaints of harm caused through electronic communication. In-country sources said online hate speech and online bullying was common, including against persons identifying as <u>LGBTQIA+</u>. At the time of writing, the *Online Safety Act 2018* was being reviewed to address this problem.
- 3.45 Online debates are robust. Online criticism, including of government policies, is permitted so long as it does not break the law and, for example, cross the threshold of hate speech and incite racial hatreds or antagonisms (see Race/Nationality). Arrests and prosecutions for online criticism are uncommon.
- 3.46 DFAT assesses social media users who criticise the government and abide by the law face a low risk of official discrimination, including arrest, questioning and prosecution.

## **GROUPS OF INTEREST**

#### Women

- 3.47 The 2013 Constitution enshrines the right to equality and prohibits direct or indirect discrimination on the basis of sex, gender, marital status or pregnancy. Women have equal rights and status to men under family law and in the legal system, as well as full rights of inheritance and property ownership. The *Employment Relations Act 2007* prohibits gender discrimination in the workplace and obligates employers to pay men and women equal remuneration for work of equal value (for maternity leave entitlements, see <a href="Employment">Employment</a>). Fijian women have better educational outcomes than men. Girls are more likely to be enrolled in and complete secondary <a href="school">school</a> than boys and have higher rates of enrolment and completion at the tertiary level. Women have had the right to vote since Fiji's independence in 1970.
- 3.48 Abortion is permitted if it will save the mother's life, where the pregnancy gravely endangers the mother's physical or mental health or is the result of incest or rape. It is an indictable offence under the *Crimes Act 2009* to perform an abortion outside these parameters, penalties of between three and 14 years' imprisonment apply. In-country sources reported abortion services were not widely available.

- 3.49 There are no legal barriers to women's full participation in public life. Women are active in politics, business, the <u>security forces</u> and <u>media</u>. More than half of civil servants are women and women hold senior positions, including at Permanent Secretary level. Three in five healthcare workers, including 55 per cent of doctors, and more than 20 per cent of judges and magistrates are women. Women outnumber men as teachers at the primary and secondary levels. Women can <u>relocate</u>, with growing numbers moving from rural to urban areas for employment and education.
- 3.50 In-country sources reported the government was committed to gender equality, including through national action plans on gender-based violence and women's economic empowerment, introduction of gender-responsive budgeting across the national budget process and consultation with women's <u>civil society organisations</u>. In January 2023, the Fiji Corrections Service abolished its policy of terminating the employment of female officers who fell pregnant while single, unmarried or through a relationship with a male corrections officer. Officers dismissed under the previous policy were reinstated.
- 3.51 The Ministry of Women, Children and Social Protection is the government's lead agency for women's issues. Many NGOs advocate for gender equality and provide training and support services, including the Fiji Women's Rights Movement (FWRM) and the Fiji Women's Crisis Centre (FWCC). The locally led Women's Fund Fiji provides capacity development assistance and resourcing to grassroots women's organisations, including organisations in rural and remote areas. More than 3,000 women's community organisations are registered with the Ministry of Women, Children and Social Protection.
- 3.52 In-country sources said Fiji remained a largely patriarchal society and traditional gender norms that men be breadwinners and women caregivers held women back. These norms were deeply embedded, particularly among iTaukei, and reinforced through cultural practices and religious institutions. Women are under-represented in the paid workforce and hold few positions of political leadership. No woman has held the role of president or prime minister, less than 10 per cent of parliamentary seats are held by women. Most village chiefs and members of the GCC are men. At the time of writing, women held three of 22 Cabinet positions. In-country sources said iTaukei society was highly ordered and hierarchical. Men were considered decision makers. Their authority superseded women's at the clan, tribal and family unit levels, as it did in the church. Women were culturally expected to play a supporting role and defer to male authority.
- 3.53 According to the World Bank, women had a <u>labour force</u> participation rate of 38.6 per cent in 2023, compared to 76.8 per cent for men. Women were three times more likely to carry out unpaid domestic care work. While iTaukei women have equal legal rights to men to inherit assets and own <u>land</u>, UN Women reports they are frequently excluded from inheritance of land and usually have no practical land rights beyond those permitted by male relatives. In 2023, 81.9 per cent of women had a bank account, compared to 91.3 per cent of men. Contraceptives are available (see <u>Health</u>), although in-country sources said women may not always be able to advocate for condom use, resulting in unwanted pregnancies, <u>HIV</u> or sexually transmitted infections. The World Economic Forum, in its most recent *Global Gender Gap Index* (June 2025), ranked Fiji 120<sup>th</sup> out of 148 countries for economic participation and opportunity and 138<sup>th</sup> for political empowerment. Overall, the World Economic Forum ranked Fiji 126<sup>th</sup> in the world for gender parity.
- 3.54 DFAT assesses Fijian women face no official discrimination and a moderate risk of societal discrimination in the form of entrenched patriarchal norms and behaviours, which can limit women's ability to participate fully in public life and assume political and economic leadership positions. Women have access to support services from government and non-government sources, including social security. See sub-sections for information on single, divorced and older women and victim-survivors of domestic violence, including with respect to their ability to obtain state protection and relocate internally. Women and girls at the intersection of multiple identities, including those with disability and of diverse sexual orientations and gender identities, face broader risks.

#### Single, Divorced and Older Women

3.55 At the time of the 2019-20 Household Income and Expenditure Survey, 19 per cent of households were headed by a woman. Women-headed households were more prevalent in urban (23 per cent) than rural (14 per cent) areas. Central Division, encompassing Suva, had the single highest proportion of women-headed households (22 per cent). The Survey found women-headed households were less likely to experience poverty than households headed by men. According to the *World Factbook*, 59 per cent of women between the ages of 15 and 49 were

married in 2023. Low-income one-person households receive a monthly cash transfer of FJD40 (AUD27) and a FJD50 (AUD34) food allowance from the state. Single mothers are eligible for state <u>welfare</u>.

- 3.56 In-country sources reported single women may face pressure from families to marry but this was not unique to Fiji. Being single was not stigmatised as in the past, there were many single women, including single mothers. The most recent census (2017) recorded 204,500 women as having never been married. In-country sources said families were protective of never-married or divorced members, particularly where they were able to provide for themselves, contribute to the family and care for parents, which was highly valued. Some single women, particularly single mothers, may struggle economically absent the support of a husband, although this is not uniform. Others, particularly those with higher education and better employment prospects, can lead comfortable lives.
- 3.57 Some women may choose not to marry, particularly professional women who are economically independent. In-country sources said there were many examples of young, educated working women who were single. There were no cultural barriers to this. Single women may be eligible for state <u>welfare</u>, including if living with <u>disability</u>, caring for a child, pregnant or living in a low-income household. Single iTaukei women can generally utilise kinship networks for support and protection (less so women from the Indo-Fijian community, where such networks are weaker). DFAT is not aware of a pattern of official or societal discrimination against single women.
- 3.58 Older single women may lack support systems, particularly if widowed and their children have emigrated, although experiences vary. The 2019-20 Household Income and Expenditure Survey found less than 10 per cent of the population was aged over 60 (Fiji's definition of an older person). The last census (2017) recorded over 33,000 widows. Like other single women, widows may be eligible for state welfare, including programs for low-income households and people with disability. Women over 65 who do not receive superannuation payments are entitled to a social pension, transport assistance and free prescription medication. Widows whose husbands were employed in the civil service are entitled to their husband's pension (payments cease should the woman re-marry). According to the ILO, 100 per cent of older Fijians were covered by social protection systems in 2022. DFAT is not aware of a pattern of official or societal discrimination against older single women, including widows. According to the 2019-20 Household Income and Expenditure Survey, poverty rates were significantly higher among younger people, with people under 30 comprising 60 percent of the poor.
- 3.59 Older single women, including widows, typically receive support from their children (including through remittances, should their children have emigrated) and/or kinship networks. Kinship networks are very strong among iTaukei, less so among Indo-Fijians. It is uncommon for older Fijians to live alone. In-country sources said retirement homes were available but inadequate and expensive for the average person. The Ministry of Women, Children and Social Protection funds residential care homes for older persons. Access requires a referral from the Ministry, which must determine the individual has no family members to care for them or has been abandoned by their family. The Ministry may initiate court proceedings against children who have abandoned elderly parent/s. Should they decide to take their parent/s back, the child or children receive government support. Residential aged care homes are permanent arrangements.

#### Divorce

- 3.60 Women have equal rights to men under family law, including with respect to divorce. A woman can apply for a dissolution of marriage through their local magistrates' court. Some filing fees apply. The *Family Law Act 2003* allows for no-fault divorce. Two grounds must be met for a court to grant divorce. First, the marriage must have broken down irretrievably, held to be established when the couple has been separated for a continuous period of at least 12 months (couples can live in the same house and still be considered separated). Second, the court needs to be satisfied adequate arrangements exist for the welfare of any children arising from the marriage.
- 3.61 Where a court deems there is a reasonable possibility of reconciliation based on evidence provided and the attitudes of the parties, it may encourage reconciliation, including through marriage counselling, though either party can request court proceedings to resume. Where there is no prospect for reconciliation and all legal requirements for divorce are met, including satisfactory arrangements for children under 18, the court grants a temporary, conditional order (which may be appealed) and, one month and one day after the conditional order has been granted, a final, permanent order. Courts provide free family counselling services during divorce proceedings. There are specialist Family Courts in Suva, Lautoka and Labasa, although every court in Fiji can hear a Family Court matter.

Court hearing fees apply but may be waived, depending on individual financial circumstances. Re-marriage is permitted after a final order has been granted.

- 3.62 Courts may order maintenance where a party to a dissolved marriage is unable to support themselves adequately, including by reason of having in their care a child of the marriage under 18. Courts may take into account the age of each party, their financial resources, physical and mental capacity to obtain gainful employment and eligibility for a pension, allowance or benefit in Fiji or a third country. In dividing joint properties after divorce, a court will consider the financial and non-financial contributions made by each party to the acquisition, conservation and improvement of the property.
- 3.63 All parenting issues are covered under the *Family Law Act 2003*, even if the parents are not married. Parents are encouraged to mutually agree on child custody arrangements via a legally binding Parenting Plan. This outlines who the child will live with, how often each parent or other people (e.g. grandparents) can visit and contact the child, school holiday arrangements, educational needs and expenses, medical treatment and financial support. Where agreement cannot be reached, the court will issue a Parenting Order. When deciding on child custody arrangements, the court considers the best interests of the child (informed by the child's wishes), ability of each parent to provide for the child's physical, emotional and intellectual needs, impact of separation from either parent and siblings and parenting history, including any history of family violence. Custody is typically granted to the mother.
- 3.64 Divorce is common in Fiji. In-country sources said divorce may attract stigma, more so in rural areas, but acceptance was growing. Women could initiate divorce proceedings without excessive societal backlash, although economic dependence and other factors (see <a href="Domestic Violence">Domestic Violence</a>) can be barriers. Divorce was more discouraged within the Indo-Fijian community.
- 3.65 According to in-country sources, dowry in the traditional sense (a payment made by the family of a bride to the family of a groom on marriage) was not practised widely among <a href="Indo-Fijians">Indo-Fijians</a> of Hindu faith and not at all by Muslim Indo-Fijians. In-country sources were not aware of a bride price custom ('reverse dowry') being practised in either community. The family of the bride, like those of the groom, provided gifts or money to the newlyweds but these were not formal dowry arrangements. iTaukei do not practise dowry or bride price customs.

#### **Domestic Violence**

- 3.66 The *Domestic Violence Act 2009* applies to a broad range of domestic relationships, including spouses, de facto partners and family members, and encompasses physical, sexual and emotional abuse, intimidation, harassment and stalking. It requires police to respond swiftly to reports of domestic violence, apprehend perpetrators and render assistance to victim-survivors. This includes facilitating medical assistance and, if requested, suitable alternative accommodation. Where reasonable to do so, police must provide written information on the victim-survivor's rights and available support services.
- 3.67 The *Domestic Violence Act 2009* allows victim-survivors, their guardians or <u>police</u> to apply for a Domestic Violence Restraining Order (DVRO) from a court. Police must apply for a restraining order where they charge a person with domestic violence or believe domestic violence has been committed or is likely to be committed, including in response to tip-offs or information appearing on social media. Police can apply for an interim restraining order via telephone. Where a DVRO is issued, a court may order the perpetrator undertake counselling, education or rehabilitation. It is a criminal offence under the *Domestic Violence Act 2009* to contravene a restraining order, penalties of 12 months' imprisonment and a fine of up to FJD2,000 (AUD1,350) apply. Repeat offences or serious assaults may result in harsher penalties. Perpetrators of domestic violence may face separate charges under the *Crimes Act 2009* if their actions involved physical or sexual violence. Rape is illegal, including within marriage. The age of sexual consent is 16.
- 3.68 While legislation exists, in-country sources said domestic violence was normalised and widespread. Most domestic violence is perpetrated by men who are usually an intimate partner. According to the government, two in three ever-partnered women have experienced physical, sexual and/or emotional violence from a male intimate partner in their lifetime. The most common form of intimate-partner violence is physical, impacting more than three in five women. Domestic violence may be perpetrated by other, non-intimate family members, particularly, according to in-country sources, in the iTaukei, community, where people lived in extended families. Economic stress and alcohol and <u>drug</u> abuse are key drivers of domestic violence. In-country sources described domestic violence as a countrywide phenomenon not specific to a particular location or community. There was greater awareness of the

problem thanks to government and NGO efforts, although not necessarily less tolerance. On the whole, community attitudes, which were patriarchal and conservative, continued to stigmatise victim-survivors.

- 3.69 Over one weekend in April 2025, two women were murdered and one was admitted to hospital in separate domestic violence incidents in Suva and Nadi. The FWCC reports 50 women lost their lives to domestic violence between 2013 and 2023. In-country sources said murders and victim suicides were more common in the Indo-Fijian community, physical assaults in the iTaukei one. Economic dependence, fear, family pressure, feelings of shame, concern about their children's well-being, potential <u>legal</u> costs and lack of awareness about their rights can be barriers to women leaving abusive relationships.
- 3.70 Violence against women and girls may occur outside domestic settings. The government reports one in three women have experienced violence from a man who is not their partner, with one in five women experiencing sexual harassment in the workplace in the formal sector. In-country sources identified technology-facilitated gender-based violence (including sextortion, revenge pornography, sexual exploitation in cyberspace and stalking) as a growing concern for women and girls. According to the FWCC, gender-based violence perpetrated by technology comprised 10 per cent of its workload.
- 3.71 Government efforts to change attitudes toward violence against women and girls, including through public awareness campaigns, are longstanding. In June 2023, Fiji launched a five-year National Action Plan to Prevent Violence Against All Women and Girls. Developed in consultation with civil society, the National Action Plan aims to promote positive social norms for gender equality and prevention of violence against women and girls across 13 sectors, including educational institutions, workplaces, public spaces, traditional and faith-based contexts, media and entertainment and the legal and justice sectors. It found patriarchy as the root cause of violence against women and girls in Fiji. In-country sources described the National Action Plan as progressive and said its implementation would be a long-term, whole-of-society endeavour. The National Action Plan was socialised with the GCC. A key focus of the reconstituted GCC will be eliminating violence against women and children through grassroots engagement, which in-country sources considered a very positive development.
- 3.72 In 2018, the government adopted a Service Delivery Protocol for responding to gender-based violence. This establishes common principles and a referral pathway for service providers, with a view to providing timely and coordinated support to victim-survivors. In 2021, the FPF adopted standard operating procedures for improving gender-based violence-related policing services. In 2023, the Ministry of Health and Medical Services issued national guidelines for the management of gender-based violence by healthcare workers, including linking victim-survivors with social support services.

#### **State Protection**

- 3.73 State protection is available to people experiencing domestic violence. As <u>noted</u>, victim-survivors can obtain DVROs, although in-country sources reported a lack of awareness of this right, particularly in rural areas. In-country sources said DVROs were easy to obtain, readily granted and generally well enforced but not always effective. According to the government, 2,617 cases of domestic violence were reported to police in 2024. In-country sources said reporting rates had increased but remained low, including due to fears of retaliation, further violence, feelings of shame, social stigma, police attitudes and general lack of faith in <u>police</u> to provide protection. Indo-Fijian women were less likely to report domestic violence and seek protection than iTaukei women.
- 3.74 According to in-country sources, often victim-survivors sought police support only when their suffering became intolerable and/or their children were subjected to violence. The FWRM found Fijian women experiencing domestic violence waited on average 2.5 years before going to police for help. In-country sources said the consequences of seeking help could outweigh the benefits. In many cases, victim-survivors faced the greatest risk of harm in the intervening period between filing a police complaint and leaving the perpetrator and receiving justice. Court processes could be long, delays were common and DVROs were not foolproof. There were examples of femicides being committed during this period.
- 3.75 DVROs can be granted to men. According to in-country sources, some men manipulated the system by pre-emptively obtaining DVROs against their victim (on the basis, for example, of the perpetrator receiving a slap or scratch in the course of a domestic violence incident). Where DVROs were granted in such circumstances, the real victim may be evicted from their home and separated from their children.

- 3.76 The FPF promotes a zero-tolerance approach to domestic and other forms of gender-based violence. Police are required by policy to investigate all reports of gender-based violence and, where sufficient evidence exists, seek criminal prosecution, even where the victim-survivor withdraws their complaint. Fiji has also sought to restrict the use of *bulubulu* (a traditional form of reconciliation) in cases of gender-based violence. People can still pursue traditional reconciliation in parallel to formal police and judicial processes. In 2018, Fiji's chief magistrate issued a directive opposing *bulubulu* in determining sentences for gender-based violence crimes. The use of *bulubulu* as a mitigating factor in criminal sentencing has declined significantly. While the *Criminal Procedure Act 2009* provides for reconciliation in cases of common assault and assault occasioning bodily harm where the assault is of a private nature and not aggravated, this expressly does not apply for domestic violence offences. In-country sources said *bulubulu* was still used, particularly in remote communities. Victim-survivors may be pressured to participate in a *bulubulu* process rather than seek formal remedies, in the interests of family and community harmony, potentially leaving them in abusive relationships.
- 3.77 The FPF's zero-tolerance approach does not always translate into practice. An academic study published in September 2024, involving a survey of 365 police officers, found most officers took domestic violence cases seriously but usually encouraged victim-survivors to exhaust traditional dispute resolution methods before proceeding with further investigation and potential prosecution. In-country sources said it was not uncommon for police to try to convince the victim-survivor to pursue reconciliation with the perpetrator. These sources did not always consider police protection effective. Some male frontline officers lacked understanding of the law and gender sensitivity, approached cases with a patriarchal mindset, did not take the matter seriously and/or sided with the perpetrator, particularly in smaller communities where the officer may know or be related to the perpetrator. Victim-blaming was common. Resource constraints (see Police) may also limit the FPF's ability to respond effectively to domestic violence. In-country sources said prosecution rates for domestic violence were low, including because of police attitudes and poor documentation practices.
- 3.78 A person reporting domestic violence (or any other alleged crime) to police should be issued an incident number. The attending officer will make a written record of the complainant's details and information about the incident. Police subsequently conduct a preliminary investigation and, where there is sufficient evidence, file a report with the Office of the Director of Public Prosecutions (ODPP). Based on the available evidence, the ODPP determines whether to proceed with criminal prosecution. Beyond an incident number, DFAT understands complainants are typically not provided documentation outlining their claim. In-country sources understood a complainant could, on request, use their mobile telephone to photograph the witness statement, should they have provided one (police recordkeeping was by hand and police stations may lack a computer, printer and photocopier). A copy of one's witness statement and police report would otherwise be provided if/when the case reached court. In-country sources said the ability to obtain police updates on the status of one's case was limited. For hospital documentation, see <a href="Health">Health</a>.

#### **Support Services**

- 3.79 The government and NGOs provide confidential support services to women and girls who have experienced, or are at risk of experiencing, domestic or other forms of gender-based violence. Services include 24-hour toll-free national helplines for reporting domestic violence and violence against children, counselling, referrals, legal advice, medical assistance and temporary safe accommodation. Support services are available in English, Fijian and Hindi. Services are mostly located in urban areas. The FWCC is present in Suva, Nadi, Ba, Labasa and Rakiraki. The FWCC can coordinate emergency assistance throughout Fiji and operates a mobile counselling service that visits areas where support services may be less accessible.
- 3.80 While some victim-survivors may be reluctant to utilise support services because of stigma, or may not know they exist, in-country sources said they were increasingly utilised. Between January 2023 and September 2024, the FWCC received 1,237 requests for counselling, of which 824 related to domestic violence. In 2022-23, local NGOs supported by Women's Fund Fiji provided counselling to nearly 10,000 women and girl victim-survivors of violence. Other major NGO providers of support services include Medical Services Pacific, Empower Pacific and Pacific Women. In-country sources said public campaigns had contributed to greater awareness and uptake of support services.
- 3.81 Women's shelters exist but are concentrated in and around urban areas. Shelters provide temporary accommodation, legal, medical and counselling services and, in some cases, income-generating training to women

and girls experiencing, or at risk of experiencing, domestic or other forms of gender-based violence. One shelter (Homes of Hope in Suva) caters specifically to young women who have been subjected to, or at risk of, <a href="https://example.com/human">human</a> trafficking and/or forced sex. According to in-country sources, a referral (e.g. from the Ministry of Women, Children and Social Protection or police) is required to access some shelters. Others accept walk-ins, space permitting. DFAT is aware of women's shelters operating in Suva, Lautoka, Labasa, Nadi and Rakiraki.

3.82 In-country sources said shelters were generally small. Most are run by NGOs or faith-based organisations, including the FWCC, Salvation Army and the House of Sarah. Faith-based shelters are open to all women, regardless of religion. Depending on the shelter and its capacity, duration of stay can range from seven days to more than 12 months. Space permitting, women can be accompanied by their children. Where a shelter is at capacity, the shelter or referring authority arrange alternative accommodation. This can be in a hotel or with family or friends. A safety assessment is made to ensure a victim-survivor is not directed to accommodation deemed unsafe. Women's shelters are not available in rural and remote areas. In-country sources described conditions as 'decent' although spaces were limited and facilities did not have adequate geographic coverage.

### **Internal Relocation**

- 3.83 The ability of a Fijian woman to mitigate the risk of domestic or other forms of gender-based violence through internal relocation is contingent on individual circumstances. Internal relocation is possible but may not always be helpful. Given Fiji's small size, perpetrators may be able to track down victim-survivors, including through kinship networks. Social media may also be used for this purpose. Internal relocation is most likely to be effective for women with strong kinship networks, which can be used for support and protection, and the ability to earn a livelihood. In-country sources said internal relocation was more feasible for iTaukei women, who could return to extended families in traditional villages, than for Indo-Fijian women. For the latter, it was culturally frowned upon to return to their parents, for example.
- 3.84 The government does not provide specific financial support to victim-survivors of domestic or other forms of gender-based violence. They may be eligible for state benefits under various social protection schemes.
- 3.85 DFAT assesses women face a high risk of domestic violence. DFAT assesses women-survivors of domestic violence have access to state protection, including in the form of court-issued restraining orders against perpetrators. DFAT assesses state protection in such circumstances, where sought, is not always effective, including due to systemic biases against women survivors of domestic violence. Other support services are available but not always accessible, particularly outside urban areas. While internal relocation options exist and may help mitigate the risk of harm, they may not always be effective.

## **Sexual Orientation and Gender Identity**

- 3.86 The 2013 Constitution prohibits direct or indirect discrimination based on sexual orientation, gender identity and expression. Sexual activity between people of the same sex was decriminalised in 2005. Same-sex relationships, including marriage, are not legally recognised. Same-sex couples can live together but cannot adopt children. In-country sources said individuals would not be prosecuted or denied government services for their sexuality in Fiji. <a href="Employment">Employment</a> discrimination based on sexual orientation is illegal. Under the *Mental Health Act 2010*, a person cannot be regarded as having a mental disorder because they express or exhibit a particular sexual preference. Healthcare professionals are prohibited from attempting to change a person's sexual orientation.
- 3.87 According to in-country sources, Fiji's LGBTQIA+ community was relatively small. The single largest category were gay men, some of whom were bisexual and married with children. There were few trans men. The LGBTQIA+ community includes *vakasalewalewa*, a traditional third gender group assigned male at birth but who take on a feminine gender expression and roles traditionally assumed by cisgender women.
- 3.88 NGOs promoting LGBTQIA+ interests operate freely. The Rainbow Pride Foundation helps people experiencing homophobic or transphobic discrimination or violence access legal remedies, provides referrals to mental health services, delivers sensitisation training to healthcare workers and offers programs and services to help reduce HIV transmission among men who have sex with men, transgender people and sex workers. Other active NGOs include Oceania Pride, Drodrolagi, the Pacific Rainbows Advocacy Network (PRAN), the Strumphet Alliance Network (SPAN) (which advocates for sex workers, including trans women), DIVA for Equality (which advocates for queer women), Haus of Khameleon (which advocates for transgender people), the Trans Affirmative Action Guild

(also transgender focused), Chai & Chat (an Indo-Fijian support group) and House of Colours (based in Labasa, Vanua Levu). The first Pride Parade was held in Fiji in 2018. Pride Games promoting LGBTQIA+ inclusion in sports were held in Suva in 2023 and 2024.

- In-country sources said the LGBTQIA+ community had greater visibility and acceptance, particularly in urban areas, where people were reasonably accepting. While some preferred to keep a low profile, LGBTQIA+ people had greater confidence to be their true selves and could lead meaningful lives. But Fiji was still a socially conservative society and LGBTQIA+ issues, trans issues in particular, remained sensitive. Legal recognition of same-sex couples was taboo. Overt same-sex relationships were broadly discouraged and people who identified openly as LGBTQIA+ risked stigma and societal discrimination, particularly in rural and faith-based settings. Stigma and discrimination may take the form of bullying in schools and workplaces, family pressure and, in particular, online hate speech. In July 2024, local media reported the Fiji Human Rights and Anti-Discrimination Commission (FHRADC) filed complaints with the FPF and Online Safety Commission after an LGBTQIA+ person allegedly suicided following cyber bullying. In March 2023, the minister for home affairs and immigration blocked an X account for promoting homophobia.
- 3.90 Physical violence against members of the LGBTQIA+ community can occur, particularly in domestic settings (including by intimate partners). Lesbian, bisexual and trans women face the greatest risk. Where domestic violence occurred, it was more likely in Indo-Fijian families than iTaukei ones according to in-country sources. Many iTaukei men were homophobic but if an LGBTQIA+ family member went to school, worked and contributed, they faced a low risk of violence. In-country sources did not consider physical violence outside domestic settings widespread. They said cyber bullying and online hate speech was more common than physical violence. For example, there have been instances of criminal groups using online methods (e.g. screenshots of messages and videos) to extort money from LGBTQIA+ people. In-country sources reported some instances of forced heterosexual marriage, particularly of individuals who were the sole male heir in their family. They said 'conversion therapy' was uncommon. 'Corrective rape', if it occurred, was very isolated.
- 3.91 In-country sources said there was a degree of social acceptance of diverse gender identities, with *vakasalewalewa* valued for their ability to carry out traditionally male and female tasks in the home or village. *Vakasalewalewa* were not immune from harassment and violence, though, and transgender people, by virtue of being less able to conceal their identity, faced a heightened risk. In September 2025, a prominent trans woman medical doctor and social media influencer was killed in their home in Nadi (a suspect was arrested and charged with murder, their motives unclear). In April 2024, local media reported the alleged murder of a trans woman sex worker by a group of youths in Ba (Viti Levu), which LGBTQIA+ groups attributed to transphobia. Such incidents are not common overall. A trans woman unsuccessfully contested the 2022 election as a candidate for the NFP.
- 3.92 Fiji does not allow changes in legal gender and <u>official documents</u> do not contain non-binary markers. Gender-affirming surgery is not available. According to in-country sources, Fijians wishing to access gender-affirming surgery and related medical services travelled overseas, typically to Australia, New Zealand or the United States. This option may not be financially feasible for some.
- 3.93 In-country sources reported LGBTQIA+ people were most likely to find acceptance in urban and tourist areas, including Suva, Lautoka and Nadi. Urban areas were more tolerant than rural ones, where social attitudes were more conservative. LGBTQIA+ people in cities were more likely to have access to support networks and safe spaces. In-country sources considered tourist areas in the Western Division most accepting. Openly LGBTQIA+ people in Suva told DFAT the situation for LGBTQIA+ people in Fiji had improved 'significantly' over time. Tolerance levels had increased, more people were coming out earlier and families were more accepting, especially in cities. In February 2025, the director of the Fiji Rugby Union (FRU) was dismissed after saying the Fiji women's team had a 'gay problem'. In terminating her employment, the FRU said it rejected any form of discrimination. In-country sources said the public outcry following the comments and the FRU's actions 'showed people care'.
- 3.94 State protection is available for LGBTQIA+ people. Police are instructed to treat all people reporting violations of the law with dignity and respect. Some officers receive training on LGBTQIA+ rights. There is a general reluctance by members of the LGBQTQIA+ community to seek police protection, submit formal complaints to the FHRADC and pursue legal remedies due to stigma and not wishing to bring attention on themselves. In-country sources said police attitudes had evolved in line with broader social trends but, overall, police were perceived as unwelcoming. LGBTQIA+ people generally did not feel comfortable going to police and, when they did, police did not always prioritise the case for investigation or lacked capacity to handle the case with sensitivity. In-country sources were

not aware of recent examples of police harassment of LGBTQIA+ people on the grounds of sexual orientation and gender identity, although some recalled previous incidents of police harassment of trans sex workers. There were no shelters exclusively for LGBTQIA+ people at the time of writing. Lesbian and bisexual women can access shelters catering to women experiencing, or at risk of experiencing, domestic violence and sexual abuse.

- 3.95 <u>Internal relocation</u> is possible, including to parts of the country considered more tolerant, which can mitigate the risk of harm. According to in-country sources, internal relocation by LGBTQIA+ people from villages to tourist areas in the Western Division was common. There they could find employment in the tourism and hospitality sectors and an established LGBTQIA+ community existed.
- 3.96 DFAT assesses LGBTQIA+ people face a low risk of official discrimination and a moderate risk of societal discrimination, particularly in the form of online bullying. While some may experience physical violence on the basis of their sexual orientation or gender expression, including in a domestic setting, DFAT assesses LGBTQIA+ people face a low risk of violence overall. They can seek access to state protection should they need it, although this may not always be effective. Internal relocation is feasible.

# 4. COMPLEMENTARY PROTECTION CLAIMS ARBITRARY DEPRIVATION OF LIFE

## **Extrajudicial Killings**

4.1 DFAT is not aware of recent examples of state-sanctioned extrajudicial killings.

## **Enforced or Involuntary Disappearances**

4.2 There are no recent reports of enforced or involuntary disappearance by, or on behalf of, the state.

## **Deaths in Custody**

4.3 Deaths in custody beyond natural causes are uncommon. In January 2025, a suspect, allegedly intoxicated, died in police custody in Nadi after being arrested for property damage. Police reportedly discarded the body. Investigations were ongoing at the time of writing. In May 2025, an inmate died by alleged suicide at the Naboro Maximum Corrections Centre. The death was investigated promptly. The Fiji Corrections Service convened an internal board of inquiry to investigate the exact circumstances. Police conducted a separate investigation.

## **DEATH PENALTY**

4.4 Fiji abolished the death penalty for ordinary crimes in 1979 and for all crimes in 2015. The last execution was in 1964.

# CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

4.5 The 2013 Constitution prohibits physical, mental or emotional torture and cruel, inhumane, degrading or disproportionately severe treatment or punishment. Every person has the constitutional right to be free from violence, including in the home, school and workplace. Fiji ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2016. In-country sources consulted by DFAT were not aware of torture or other forms of mistreatment being used by police to extract confessions. Testimony obtained under duress is inadmissible in court.

#### **Torture**

- 4.6 Torture by state agents, including <u>police</u> and <u>correctional</u> officers, is not widely reported. In-country sources were not aware of recent examples.
- 4.7 To mitigate the risk of torture or other forms of mistreatment in custody, video recording devices were installed in police stations across Fiji between 2020 and 2023, for police to use when interviewing criminal suspects. According to in-country sources, not all stations had this equipment, particularly outside cities. Where the equipment was available, it was not always used. Nevertheless, these sources reported mistreatment of criminal suspects in police custody had declined. Criminal suspects must be provided access to a lawyer and read their legal rights within one hour of their arrest, known as the 'First Hour Procedure'. A government review into the Procedure found it had produced a 'sharp decrease' in the number of allegations of police brutality. Where it occurred, in-country sources said police mistreatment was most likely to take the form of a slap to the face or blackmail.
- 4.8 Mechanisms exist to submit complaints of torture or other forms of mistreatment in custody, including the <u>FHRADC</u>, the <u>Legal Aid Commission</u>, any police station or the <u>FPF's</u> Internal Affairs Unit. Complaints can be lodged in person, online or via telephone.

## **Arbitrary Arrest and Detention**

Any person arrested on suspicion of committing a crime and held in police custody has the constitutional right to be informed promptly, in a language they understand, of the reason for their arrest or detention. They also have the right to remain silent, communicate privately with a lawyer of their choosing or, if eligible, to be assigned a lawyer through the <u>Legal Aid Commission</u> (see preceding <u>section</u> on the 'First Hour Procedure'). Those arrested have the right not to be compelled to make any statement that could be used as evidence against them in court and to communicate with, and be visited by, their spouse, partner, next-of-kin and religious counsellor or social worker.

They may request access to a doctor. In accordance with the *Criminal Procedure Act 2009*, any searches of arrested or detained persons must be performed by a police officer/s of the same gender as the arrested person. These rights, including prompt access to counsel, are generally respected.

- 4.10 Under the 2013 Constitution, detained persons must be charged and brought before a court within 48 hours of their arrest or, if impractical, as soon as possible thereafter (e.g. people arrested on Friday evenings are presented the following Monday at the earliest, as courts are closed on weekends). If these conditions are not met, the detained person must be released from custody. In-country sources said this right was generally respected, although, in some cases, police circumvented the spirit of the law by releasing a suspect prior to the 48-hour threshold then immediately re-arresting and holding them for a further 48 hours. If it judges a suspect's detention legal, a court will decide whether to release them on bail or have them remanded in police custody until their next hearing. If bail is granted, the suspect must sign a bail bond (payment of money is not needed to secure bail).
- 4.11 Persons detained for suspected offences against public order may be held for up to 16 days without charge, as prescribed by the *Public Order Act 1969*. Offences against public order include terrorism, treason, sedition, incitement of political violence and racial antagonism, incitement to mutiny, slavery, sexual servitude, people smuggling and <a href="https://human.trafficking">human.trafficking</a>. The *Public Order Act 1969* is not used frequently by the current government.

## **Corporal Punishment**

- 4.12 While the 2013 Constitution provides freedom from cruel, inhumane or degrading treatment or punishment, including the right to be free from any form of violence in the home and school, the *Juveniles Act 1974* allows parents, teachers or others in lawful charge of a person under the age of 18 to administer 'reasonable punishment' to them. In 2002, the High Court ruled corporal punishment in schools unconstitutional. The government takes a zero-tolerance approach to corporal punishment in educational settings. The *Corrections Service Act 2006* prohibits corporal punishment of <u>prisoners</u>. The *Child Care and Protection Act 2024* affirms the right of every child to a safe and protective environment.
- 4.13 According to in-country sources, corporal punishment in schools was rare and, where it occurred, disciplinary action was taken against the perpetrator. In-country sources said the permissibility of corporal punishment in home settings was a legal grey area, it 'definitely' occurred. A national household survey in 2021 found nearly 81 per cent of children aged between one and 14 had experienced some form of violent discipline in the month preceding the survey, with 68 per cent of children experiencing some form of physical punishment during this period. Medical Services Pacific, an NGO, operates a 24/7 child helpline with government funding and provides confidential counselling and rehabilitation services to children experiencing abuse. Calls are referred to relevant authorities as needed. See also <a href="Domestic violence">Domestic violence</a>.

# 5. OTHER CONSIDERATIONS STATE PROTECTION

5.1 Fijians have access to state protection from harm or ill-treatment, including from <u>police</u>. <u>Courts</u> are functional, accessible and largely independent. Legal aid is available to people who cannot afford legal services. Official avenues to lodge complaints of discrimination, ill-treatment and corruption exist, including, but not limited to, Fiji's <u>National Human Rights Institution</u> and <u>FICAC</u>. There are no laws or policies hindering access to state protection on the basis of gender, ethnicity, religion or sexual orientation. These avenues may be limited at the individual level by socioeconomic factors and inadequate training or resourcing on the part of state institutions.

## **Military**

- The RFMF is responsible for Fiji's territorial defence, with a constitutional mandate to 'ensure at all times the security, defence and well-being of Fiji and all Fijians'. The RFMF may be mobilised for domestic security purposes during national emergencies. The RFMF comprises an Army and Navy. In October 2024, according to the government, the RFMF had 4,040 active personnel (3,700 Army, 340 Navy) across central and remote military bases, supported by a further 6,000-strong Territorial Force (the RFMF's Reserve). There is no conscription. The RFMF is predominantly <u>iTaukei</u> and male. The number of servicewomen has increased in recent years. <u>Women</u> comprised 10 per cent of the force in 2025. <u>Indo-Fijians</u> are free to serve in the military. Most choose not to do so.
- 5.3 Civilian authorities maintain effective control of the RFMF, which reports to the minister for defence and veteran's affairs. The president is commander-in-chief and appoints the RFMF's commander on the advice of the Constitutional Offices Commission, which includes the prime minister, attorney-general and leader of the opposition in parliament. Contributing to global peace and human rights is a strategic priority for the RFMF, which has a long tradition of participating in UN peacekeeping operations. In-country sources reported most soldiers had completed at least one peacekeeping operation, some multiple (deployments were lucrative for individual officers). The *World Factbook* describes the RFMF as 'lightly armed and equipped'.
- 5.4 Upon expiry of their enlistment, RFMF members are transferred to the Reserve ('Territorial Force') until age 55. Reservists may be recalled to service in case of invasion, war, danger or internal emergency threatening life or property, in accordance with the *Republic of Fiji Military Forces Act 1949*. Reservists may be excused from a recall to service due to infirmity or absence from Fiji. The penalty for refusing service without a reasonable excuse is up to 12 months' imprisonment or a fine of FJD100 (AUD67). In-country sources said people not in active duty were unlikely to be monitored closely. DFAT is not aware of reservists being imprisoned for being absent for the purpose of making an asylum application outside Fiji.
- 5.5 The RFMF has played a central role in Fiji's <u>recent history</u>, including through multiple coups against civilian governments. The RFMF has not been directly active in politics for some time, although there is a well-established pathway of retired officers going into politics.
- In March 2024, the RFMF initiated a Reconciliation and Restoration Program to address past grievances and restore unity among its members and broader community. The first phase of the program promoted healing within the RFMF for the wrongs of 1987, 2000 and 2006, including reconciliation with the disbanded CRW (responsible for the 2000 coup). The second phase, ongoing at the time of writing, has an external focus, on reconciliation between the RFMF and broader community. Separately, in May 2023, Prime Minister Rabuka apologised publicly and sought forgiveness for his involvement in the 1987 coup. In March 2025, Minister for Defence and Veteran's Affairs, Pio Tikoduadua, said the RFMF 'must never again be seen as an institution that dictates political outcomes but as a pillar of national security, democracy and public service'. RFMF reconciliation processes are parallel to a whole-of-government Truth and Reconciliation Commission established in December 2024.
- 5.7 Since the change in government in 2022, DFAT is not aware of any reports of the RFMF pursuing for adverse scrutiny or attention Fiji nationals who publicly endorsed or opposed current or former politicians and political parties at meetings, rallies or in the media, including social media, while in Australia. More broadly, in-country sources said it was possible to criticise the RFMF without fear of harm.
- 5.8 While the military is an active presence, it is unlikely to hinder the day-to-day activities of Fijians, including those perceived to be anti-RFMF. See also <u>People involved in military coups</u>.

#### **Police**

- The FPF is Fiji's national law enforcement agency. It has a mandate to maintain internal security, prevent and detect crime and uphold the law. The FPF reports to the minister for policing, a position created in January 2025. It is led by a commissioner of police appointed by the president on the advice of the Constitutional Offices Commission. The FPF's Criminal Investigations Department includes dedicated major crimes, child abuse, forensic, anti-money laundering, cybercrime and anti-human trafficking units. An Internal Affairs Unit investigates complaints of police misconduct. Addressing the illicit drug trade is an FPF priority. The government reported in October 2024 the FPF had 4,600 officers. The 2025-26 national budget provided the FPF extra funds for the recruitment of 1,000 new personnel to support its response to drug-related crimes (total budget of FJD240 million, or AUD162 million). The average officer, according to in-country sources, earned FJD8,000 (AUD5,400) annually.
- 5.10 The FPF is present throughout Fiji, including outer islands. Police stations in remote areas are known as 'community posts'. Police are authorised to carry firearms only in times of emergency. There have been suggestions the FPF carry firearms to respond to drug-related threats (limitations on the use of firearms remained at the time of writing). Police officers are generally not deployed to their home communities to avoid conflict with traditional hierarchies and ensure impartiality. Women are well represented in the force, including at senior levels, although men dominate the most senior ranks. As of January 2025, 26 per cent of total FPF employees were women. Indo-Fijians are represented but the FPF is predominantly iTaukei. Some officers participate in UN peacekeeping operations. According to in-country sources, this encouraged good behaviour and respect for human rights, including through mandatary pre-deployment human rights training.
- 5.11 An October 2024 independent National Security and Defence Review, commissioned by government and informed by public consultations, found low levels of community trust in the FPF, including because of alleged police involvement in the illicit drug trade. The Review found the appointment of former senior military officers to the role of commissioner of police had promoted a 'warrior culture' and preference for coercive methods when dealing with the public. The government has committed to implement the Review's findings. In December 2024, it appointed Rusiate Tudravu Commissioner of Police. Tudravu is a career police officer and the first substantive commissioner with no military background. In-country sources said the FPF's leadership acknowledged negative perceptions of the force and were working actively to strengthen its culture and integrity. Efforts to strengthen police professionalism and accountability were ongoing at the time of writing, including through support from Australia and other development cooperation partners.
- The US Department of State's Overseas Security Advisory Council describes the FPF as 'professional, albeit under-resourced'. In-country sources said the FPF was impartial but faced significant resource constraints. It lacked IT systems. Documents, including witness statements and police reports, were handwritten. There were few police cars in outer areas (when responding to a crime, officers without access to a car may have to hitchhike or catch a taxi). Frontline officers were meant to be equipped with batons, pepper spray and handcuffs, many were not. Some police stations lacked sexual assault evidence kits ('rape kits'). Statements were not always taken properly or went missing. Officers did not always take a victim-centred approach. In-country sources reported variations in capability and effectiveness between urban and rural areas were vast, with urban police better resourced and more effective in detecting, investigating and preventing crime. In March 2025, Fiji agreed to host a Regional Centre of Excellence in operational field forensics. This will provide specialist forensics training and enhance the FPF's forensic capabilities.
- 5.13 Police mistreatment of criminal suspects is reported but has declined over time and, at the time of writing, was neither systematic nor tolerated. Police receive human rights training and legal safeguards against mistreatment exist, including the 'First Hour Procedure' (see also Arbitrary Arrest and Detention). Interviews with suspects should also be video recorded. This does not always occur, particularly in smaller stations, which may lack the technology.
- 5.14 Accusations of police mistreatment are typically investigated and, where wrongdoing is established, action taken, ranging from internal disciplinary measures to dismissal and criminal prosecution. In-country sources said this was a strong deterrent. They said police mistreatment was more likely in outer areas, where officers might be less human rights literate and the ability of persons accused of a crime to access a lawyer may be more limited. Overall, the FPF was an increasingly disciplined force and took its human rights obligations seriously. At the time of writing, investigations were ongoing into 13 officers in connection to the alleged death in custody of a criminal suspect in Nadi in January 2025. In February 2025, the FPF's Internal Affairs Unit announced an investigation into an alleged

assault of a criminal suspect in Navua. The Commissioner of Police said any officer found to be abusing their authority would be held to account.

- 5.15 Police corruption exists but is not widespread. Several officers have been arrested for involvement in the illicit drug trade, including as informants to drug traffickers. In-country sources said this had dented public trust in the FPF, although efforts to root out corruption were genuine. The FPF leadership has vowed to identify and punish any officer involved in the drugs trade and encouraged members of the public to report police corruption. Where corruption and other misconduct is alleged, investigations are undertaken. There are examples of officers being criminally charged and convicted.
- 5.16 In May 2025, an officer in the Counter Narcotics Bureau was arrested and charged in connection to the importation and seizure of four kilograms of methamphetamine at Nadi International Airport. Following the arrest, the Commissioner of Police directed a full-scale investigation to identify those colluding in the illicit drug trade. Local media reported in November 2024 internal disciplinary proceedings and a criminal investigation were underway against an officer for alleged drug dealing (the officer was suspended without pay). In March 2024, three officers were charged with interfering with drug evidence. Complaints of police corruption and other misconduct can be submitted to FICAC, the FHRADC and directly to the FPF (including via email).
- 5.17 For information on issuance of documentation and updates to victims of crime, see Domestic Violence.
- 5.18 DFAT assesses the FPF is impartial and, resource constraints notwithstanding, generally capable of providing protection, particularly in urban areas. Police capacity to respond in a non-discriminatory and victim-sensitive way to victim-survivors of <u>gender-based violence</u> and <u>LGBTQIA+ people</u> is low but increasing, including through human rights training. Resourcing remains an ongoing challenge. Efforts to restore public trust in the FPF, including by eradicating corruption and excessive use of force, are genuine.

## **Legal System**

- 5.19 The 2013 Constitution provides for an independent and accessible system of justice, the presumption of innocence and right to a fair trial. Persons charged with an offence must be given adequate time to prepare a defence and access to state-funded legal aid if they cannot afford a private lawyer, have their trial commence and conclude without unreasonable delay, be tried in a language they understand or, if impractical, have proceedings interpreted at state expense. Accused cannot be compelled to testify or give self-incriminating evidence. If found guilty, the accused has the right to appeal their sentence to a higher court. The *Child Justice Act 2024* raised the minimum age of criminal responsibility from 10 to 14 years, consistent with international standards.
- 5.20 Fiji's judiciary comprises a Supreme Court, Court of Appeal, High Court, magistrates' courts and specialised courts or tribunals. The latter include the Juvenile Court, Family Court, Employment Relations Tribunal, iTaukei Lands and Appeals Tribunal and Small Claims Tribunal. The Supreme Court is the final court of appeal. Courts operate countrywide, including outer islands. Higher levels courts are based in Suva.
- 5.21 The president of the Supreme Court is Fiji's chief justice who also chairs the High Court and Judicial Services Commission. The latter appoints judicial officers and investigates complaints against them. The chief justice and president of the Court of Appeal are appointed by the state president on the advice of the prime minister, in consultation with the attorney-general. Magistrates are appointed by the Judicial Services Commission. The 2013 Constitution stipulates all courts and judicial officers must apply the law without fear, favour or prejudice and prohibits interference by any person in the functioning of the courts. The director of public prosecutions and judicial officers appointed by the Judicial Services Commission may be dismissed for misbehaviour or an inability to perform the function of their office.
- 5.22 The director of public prosecutions is appointed by the president on the recommendation of the Judicial Services Commission. The ODPP considers complaints made by victims of crime to police and decides, based on the available evidence and the likelihood of proving a complaint beyond a reasonable doubt, whether to institute criminal proceedings. The ODPP may assume proceedings instituted by another authority (except for those instituted by FICAC) and intervene in proceedings where in the public interest.
- 5.23 While legal accessibility may be a challenge for some, including because of cost, legal recourse is available to all Fijians. The Legal Aid Commission, established by the *Legal Aid Act 1996* as an independent statutory body,

provides free legal services to defendants earning less than FJD30,000 (AUD20,200) annually. The right to legal aid and the functions, resourcing and operational independence of the Commission are codified in the 2013 Constitution. The Commission provides legal advice and court representation in criminal, civil, family and employment law. It has offices throughout Fiji. Its lawyers are available 24/7. Support can be accessed online by appointment, including virtual appointment, via the Commission's website. In-country sources said the quality of legal aid was mixed. The Commission faced resourcing challenges with junior lawyers handling many files.

- The judiciary is largely independent and defendants can expect to receive a fair trial. Pre-trial delays may occur, including because of resource constraints. In-country sources cited high staff turnover in the ODPP as another factor. To reduce backlogs, Fiji has previously recruited foreign judges, including from Australia, New Zealand, India, Bangladesh and Sri Lanka. In-country sources said criminal trials can last up to four years. Civil cases generally take longer. In-country sources did not consider corruption in the legal system widespread.
- 5.25 On the petition of any convicted person, the Mercy Commission, a constitutionally recognised quasi-judicial body, may recommend the president grant a free or conditional pardon to a person convicted of a criminal offence, postponing their punishment or remitting all or part of the punishment. The Mercy Commission is chaired by the attorney-general and comprises four other members appointed by the president on the advice of the Judicial Services Commission. Unless deemed frivolous or vexatious, the Mercy Commission must consider a mercy petition. The Commission has granted mercy to key protagonists of the 2000 coup, including, in September 2024, coup leader George Speight.
- 5.26 Traditional, informal dispute resolution mechanisms exist. Among indigenous Fijians, *bulubulu* is a traditional custom of reconciling differences by making an apology and offering a gift or compensation. The *Criminal Procedure Act 2009* recognises *bulubulu* as a form of reconciliation but restricts its use in cases of <u>domestic violence</u>. Disputes are more likely to be resolved through traditional practices, which emphasise community harmony, than formal judicial processes in remote areas of the country.

## **Double Jeopardy**

- 5.27 The law protects against double jeopardy. The 2013 Constitution prohibits any person from being tried for an offence for which they have previously been acquitted or convicted. The *Crimes Act 2009* stipulates if a person has been acquitted or convicted in a country outside Fiji of an offence against the law of that country they cannot be prosecuted for the same offence after returning to Fiji.
- 5.28 There is no evidence to suggest a risk of double jeopardy.

## **National Human Rights Institution**

- 5.29 The powers, functions and duties of the FHRADC are codified in the *Human Rights and Anti-Discrimination Commission Act 2009* and 2013 Constitution. The FHRADC is an independent body comprising a chairperson (who must have legal qualifications) and four other members appointed by the president on the advice of the Constitutional Offices Commission. At the time of writing, three of the FHRADC's five commissioners were <u>women</u>. The FHRADC's budget is approved by parliament, which is constitutionally obligated to ensure the Commission has adequate funding and resources to perform its duties. The FHRADC is headquartered in Suva. It opened a regional office in Lautoka (Western Division) in March 2023.
- The FHRADC has a broad mandate to promote the protection and observance of human rights, including through education and public awareness raising campaigns, recommendations to private entities and government (e.g. on the human rights compatibility of existing or proposed laws) and monitoring the state's compliance with its international human rights treaty obligations. The FHRADC is legally empowered to receive and investigate complaints about alleged human rights violations or abuses and take steps to secure appropriate redress, including bringing cases to court. It has the right to self-initiate investigations. The FHRADC has access to places of detention, including prisons and police cell blocks. Any person who feels threatened or perceives their constitutional rights and freedoms have been denied, violated or infringed may lodge a complaint with the FHRADC. Complaints may be lodged on another person's behalf. Complaints can be made in English, Fijian or Hindi, in person, via telephone or online through the FHRADC website or social media. The FHRADC did not have a dedicated legal unit at the time of writing, instead relying on the Legal Aid Commission.

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- 5.31 In 2024, the FHRADC received 381 complaints. Most related to alleged arbitrary eviction (e.g. from <u>informal settlements</u>), disconnection of water and electricity services, <u>police</u> misconduct or inaction and <u>prison conditions</u>, including timely medical attention. Other common complaints related to alleged child rights violations, including <u>corporal punishment</u>, online bullying and worker exploitation, particularly of migrant workers.
- In-country sources said ongoing resource constraints limited the FHRADC's ability to fulfil its mandate and manage complex cases. Yet, since the change in government in December 2022, the FHRADC was playing a more active and credible role. The appointment of a reputable new commissioner and director had enhanced its legitimacy. State institutions were cooperating. The FHRADC could access places of detention and was providing human rights training to police, the Fiji Corrections Service and other state institutions. At the time of writing, the FHRADC held 'B' status from the Global Alliance of National Human Rights Institutions, denoting partial compliance with the Paris Principles relating to the independence, pluralism, powers and resourcing of national human rights institutions. It was working toward 'A' status.

#### **Detention and Prison**

- Prisons are administered by the Fiji Corrections Service. The 2013 Constitution provides the right to conditions of detention consistent with human dignity, including adequate accommodation, nutrition and medical treatment. The *Corrections Service Act 2006* requires <u>female</u> prisoners to be kept separate from male prisoners and supervised by female officers, prisoners under 18 to be kept separate from adult prisoners, and for remand and civil prisoners to be kept separate from convicted prisoners. The Act also stipulates the basic rights and special needs of prisoners with <u>HIV/AIDS</u>, serious illness or <u>disability</u> be respected, food rations reflect prisoners' general ethnic tastes and dietary habits, medical officers be on hand to provide general healthcare and, where specialist treatment is required, make arrangements for the prisoner to be referred to an appropriate medical practitioner. The Act prescribes discipline and order to be maintained in a fair but firm manner, in accordance with international standards and obligations.
- The Corrections Service Act 2006 prohibits corporal punishment, the use of instruments of restraint except in special circumstances (the use of chains and irons are impermissible under any circumstances) and the withdrawal of basic food rations. The Act also prohibits the total denial of visitation rights and the rights to communicate with family, friends, a medical practitioner or religious representative. Use of force is permitted for self-defence, in the event of an escape or attempted escape, or where a prisoner resists an officer performing their duties. Where force is used, it must be reported immediately to the officer-in-charge.
- 5.35 Convicted prisoners may be required to undertake labour within or outside a prison for no more than eight hours a day. The labour must take into account the human dignity and religious practices of the prisoner. Medical exemptions apply and remand prisoners can decline to work. Prisoners may be able to access training opportunities and, if they satisfy eligibility criteria, work toward qualifications. The *Corrections Service Act 2006* provides for early release of prisoners demonstrating good behaviour. The government has sought to alleviate overcrowding through this provision and the use of parole.
- 5.36 Prisons have internal complaint processes for dealing with allegations of mistreatment. Prisoners, or somebody on their behalf, may also submit complaints to the <a href="FHRADC">FHRADC</a>. In July 2024, the FHRADC and the Fiji Corrections Service signed a Memorandum of Understanding (MOU) to strengthen collaboration, including through the delivery of human rights training to corrections officers. The MOU reaffirmed the FHRADC's right to conduct regular inspections of corrections facilities, including unannounced visits, to monitor human rights standards and compliance with Fiji's international treaty obligations (in-country sources said this right was restricted under the previous government). The Fiji Red Cross and other NGOs also have access to places of detention.
- 5.37 According to the *World Prison Brief*, Fiji had a prison population of nearly 2,300 across 15 corrections and remand centres in January 2024. The official capacity of the prison system is 2,200. Prisoners are given an initial health check, including mental health screening, on arrival. They undergo an induction interview, where they are informed of prison rules and their rights and responsibilities. Depending on their security classification, prisoners are given either a single cell or a shared cell with another prisoner. Each cell usually has bedding and a wash basin. Some prisoners might be kept separate from the general population for their protection (e.g. because of their age, vulnerability or the nature of their crime). Prisoners are assigned case officers to support their rehabilitation needs and goals. They also have access to social workers.

- 5.38 In-country sources said prison conditions were 'poor' in comparison to Australia. Hygiene was below Australian standards, ventilation was poor and facilities outdated. Newer facilities were better. Overcrowding because of increasing drug use and associated incarcerations was a growing, though not uniform, problem. Minimum security prison cell blocks could accommodate 20 inmates, maximum security prison cell blocks 40. Prison grounds and cells were generally tidy. The use of violence by guards against inmates was neither tolerated nor widespread. Some prisoner-on-prisoner violence occurred but was not considered a major problem. Corruption could happen (e.g. paying bribes for more food or better care) but, where it was uncovered, disciplinary action was taken against responsible officers.
- 5.39 Inmates are provided three meals a day. According to in-country sources, prison food was sufficient and provided enough sustenance but was basic, carbohydrate-heavy and lacked variety (bread, roti, rice, biscuits, root crop). Fruit options were limited. Prisoners may receive supplemental food from visitors, as provided by the *Corrections Service Act 2006*, subject to limitations. In-country sources said fruit and other snacks were generally allowed but decisions were contingent on individual guards. Supplemental food was closely scrutinised and did not always reach the intended recipient. Drinking water (from a tap) is freely available but may not always be clean.
- Prisoners are allowed contact, in person and over a telephone, with family, friends, legal representatives and, where relevant, consular officials. A prison official is generally present for in-person meetings. Prisoners are permitted radios but not mobile telephones. They can send and receive letters (incoming letters are checked for contraband). Precise rules and privileges can vary by prison, depending on the officer-in-charge. Privileges may be restricted if the Fiji Corrections Service assesses a risk of unrest inside prisons (e.g. during sensitive outside events like elections). In-country sources said prisoner privileges had generally improved since December 2022.
- 5.41 Primary medical care is provided by a prison doctor. If needed, prisoners may be referred for external secondary and tertiary healthcare services. Prisoners with <u>mental health</u> needs can receive counselling, including, if eligible, cognitive behavioural therapy. While the quality of care can vary by prison, in-country sources said, broadly, medical services were 'very basic' and existing medical infrastructure inadequate. Medical diets (for dietary control or treatment of a medical condition) can be provided on the recommendation of a medical officer. The Fiji Corrections Service said in March 2025 almost 60 per cent of inmates had been diagnosed with <u>HIV</u> (mostly remand prisoners). In-country sources said access to timely medical care was a major concern.
- 5.42 DFAT is not aware of systemic issues of violence in Fiji's prison system, whether perpetrated by prisoners or prison staff.

## INTERNAL RELOCATION

- 5.43 There are no legal limits to internal relocation. The 2013 Constitution enshrines the right to freedom of movement, including the right to move freely within, and reside in any part of, Fiji. These rights are respected. People migrate internally as a matter of course, including from smaller islands to larger ones and from villages and towns to cities, for work, education and other purposes. Some reverse internal migration, from cities to places of origin, occurs, including during periods of economic distress. Nearly 250,000 people were living away from their place of birth at the time of the most recent census (2017). Beyond a change of address form submitted with the Fiji Revenue and Customs Service (FRCS), there is no formal process for relocating internally.
- 5.44 Practical barriers may limit internal relocation options, including access to <u>land</u>, particularly in the case of <u>Indo-Fijians</u>. Successful relocation is more likely where one has kinship networks and employment opportunities in the place of relocation. See <u>Domestic Violence</u> and <u>Sexual Orientation and Gender Identity</u> for internal relocation options for victim-survivors of domestic violence and LGBTQIA+ people respectively.

#### **Internal Displacement**

5.45 Weather-related natural disasters create some internal displacement. According to the Internal Displacement Monitoring Centre (IDMC), part of the Norwegian Refugee Council, 214,000 Fijians were displaced by natural disasters between 2008 and 2023. Most displacement was caused by storms and flooding. On average, the IDMC estimates 5,800 Fijians are displaced annually because of sudden-onset weather events, typically during the November-to-March wet season. The United Nations Office for the Coordination of Humanitarian Affairs reported 1,500 people were displaced by a looming tropical cyclone in February 2025. In such circumstances, affected

communities are provided preventive sheltering in evacuation centres. In-country sources reported internal displacement numbers in Fiji were low, displacement was typically of a temporary nature and displaced persons were provided shelter and rations during their period of displacement. In-country sources were not aware of internal displacement caused by tribal conflict.

The Climate Relocation of Communities Trust Fund Act 2019 provides for the humane, planned and coordinated internal relocation by the state of communities adversely affected by climate change. This includes funding to ensure relocated communities are provided necessary infrastructure to guarantee an adequate standard of living and the rights and freedoms enshrined in the 2013 Constitution. An Adaptive Social Protection Strategy, approved by government in April 2024, aims to strengthen support to vulnerable populations before and after weather-related shocks. In March 2023, the government endorsed standard operating procedures, developed in consultation with civil society, including <a href="women's">women's</a> and <a href="LGBTQIA+">LGBTQIA+</a> representatives, for the voluntary, planned and coordinated relocation of affected communities. Some communities have been relocated, with others earmarked for relocation in the next five to 10 years. Relocation is a last resort and contingent on the full, free and informed consent of at-risk communities.

## TREATMENT OF RETURNEES

## **Exit and Entry Procedures**

- 5.47 The *Immigration Act 2003* governs entry and exit from Fiji. Entry and exit is through authorised airports and maritime ports. Incoming and departing aircraft and ships must provide immigration authorities a full list of passengers and crew members ahead of arrival or departure.
- 5.48 Fiji's main international airport is in Nadi. A smaller international airport operates from Nausori, outside Suva, which, at the time of writing, operated international flights solely to and from Tuvalu. Both are located on Viti Levu. Fiji has nine international maritime ports (four for cruise ships, three for small crafts, two for merchant cargo vessels). Incoming passengers must present their passport, visa (if required) and arrival card to an immigration officer. Passengers are subject to customs and quarantine inspections. Corruption during this process is unlikely. Security, customs and immigration controls at major air and maritime ports are robust. Maritime ports for small craft may not have a permanent, 24/7 customs presence. Fiji has mechanisms to prevent persons of interest (e.g. criminal defendants, people on probation or parole, people subject to court orders) leaving the country. High-quality forgeries or insider assistance would be needed for persons of this profile to exit Fiji. In-country sources were not aware of recent examples. Officials were well-trained to detect fraudulent travel documents.
- 5.49 Seeking asylum abroad is not a criminal offence. Authorities would generally not be aware a returnee had sought and failed to secure asylum abroad. Persons of this profile with valid travel documents would be processed like anybody else on return to Fiji and would not attract undue official attention.
- 5.50 The previous government deported and prohibited from returning some critics and their families, including prominent academics Brij Lal (2009) and Pal Ahluwalia (2021). Dual citizens, Professors Lal and Ahluwalia were deported for actions deemed prejudicial to the peace, defence, public safety, public order, public morality and security of Fiji. Their bans were lifted by the current government. Professor Ahluwalia, at the time vice chancellor and president of the USP, and Dr Padma Lal, the wife of Professor Brij Lal, subsequently returned to Fiji. Professor Brij Lal died in Australia in 2021 without returning to Fiji.

### **Conditions for Returnees**

- 5.51 DFAT is not aware of official or societal discrimination against failed asylum seekers. Emigration and return to Fiji are very common. Many Fijians have cultural and family links to Australia. It would be highly unlikely for a return to be seen as unusual or attract adverse attention from authorities or societal stigma. Returnees, as Fijian citizens, can freely access government services.
- 5.52 Some asylum seekers enter Australia through the <u>PALM scheme</u>. DFAT is aware of people disengaging from this scheme, some of whom applied for asylum in Australia, some of whom chose to return to Fiji. According to in-country sources, disengaging from PALM would generally not attract stigma or be perceived negatively in the community (the fact of their disengagement may not be known). Adverse official attention is highly unlikely.

5.53 Some returnees may have been deported for committing criminal offences or removed for visa overstays. Like failed asylum seekers, returnees of this profile are unlikely to attract official or societal discrimination. The law protects against <u>double jeopardy</u>. DFAT is not aware of reintegration programs for deportees. Family support, where available, can aid reintegration. This is particularly so for iTaukei returnees, who have strong kinship networks.

## **DOCUMENTATION**

- 5.54 Most official documents are paper based. In June 2024, Cabinet approved implementation of a national digital identification program as part of the government's digital transformation agenda. Once implemented, this will create an electronic national database and introduce a National Identity Card with advanced security features, including biometric information, as the primary form of identification. At the time of writing, implementation of the program was in its early stages. Completion was not expected before 2028.
- Pending rollout of the new system, driver's licenses and Joint Identification Cards issued by the FRCS and FNPF are the primary forms of identification in Fiji. Joint Identification Cards were first issued in 2014. They include a photograph of the cardholder, unique nine-digit TIN on the front and FNPF member number on the back. Joint Identification Cards may be obtained from the FRCS or FNPF. They are required for most official transactions. Applications can be submitted online. A birth certificate, marriage certificate (if using a married name), recent passport-size photo and valid photo identification (driver's license, Voter Registration Card or passport) are needed. Only people aged 18 or above can obtain a Joint Identification Card (they must be an FPNF member or otherwise have a TIN). First-time issued cards are free. Cards are valid for 10 years from the date of issue. Replacement upon expiry is free. A fee applies to replace damaged, stolen or lost cards. In-country sources said standalone FNPF identification cards were no longer issued.
- 5.56 TINs are issued by the FRCS for tax purposes. TINs are required to conduct business transactions in Fiji, including opening a bank account, applying for or renewing a motor vehicle license, registering a motor vehicle or business, requesting a tertiary education loan, filing a tax return and claiming a tax refund. TINs are mandatory for all Fiji residents. Applications for a TIN can be made online. TINs are issued for free.
- 5.57 Some agencies and financial institutions accept Voter Identification Cards (VICs) as a valid form of identification. A person over 18 who does not have a 'mental disorder' and is not serving a prison term of 12 months or longer can apply to the Fijian Elections Office for a VIC. VICs have some security features, including microprint and a photograph. They include the cardholder's date of birth, residential address and unique 12-digit electronic voting registration (EVR) number. A birth certificate and valid photo identification are needed to obtain a VIC.

## Birth, Death and Marriage Certificates

- 5.58 The Births, Deaths and Marriages Registry in the Ministry of Justice registers and permanently stores births, deaths, marriages and changes of name. People over 18 can change their name by deed poll.
- 5.59 Every birth must be registered within two months by law. Registrations within 12 months of birth are free. Birth certificates attract a fee. Late registrations are possible. A penalty fee applies for registrations 12 months after birth. Birth registrations and applications for birth certificates can be made online. Birth certificates have minimal security features (the sole identifier is an individual certificate number). Records of births are generally accurate and secure, even if the documents themselves lack security features. A birth certificate is required to attend school.
- 5.60 Deaths must be registered within seven days. The Ministry of Health and Medical Services captures death information in a death notification form and enters the information into an electronic database. The death notification and birth certificate of the deceased are used to complete a medical certificate with cause of death. A copy of the medical certificate is sent to the Central Registration Office for official registration and issuance of a death certificate. Death certificates attract a fee. Missing persons are registered deceased after seven years.
- The minimum age of legal marriage is 18. Some under-age marriage occurs, mostly in remote areas. Persons wishing to marry must apply for a notice of intention to marry (marriage license). A fee applies. Applications for a notice of intention to marry must include birth certificates, valid photo identification and recent passport photos of both parties, divorce papers (if relevant) and death certificate/s (if either party's former spouse is deceased). Should no objection be made, the parties are able to marry 21 days after the notice of intention to marry is issued. Marriage certificates attract a fee.

5.62 The Fiji High Commission in Canberra and Consulate-General in Sydney offer certificates of identity, birth certificates, death certificates, marriage certificates, police clearances and other documents by online application.

## **Passports**

- 5.63 Fiji permits dual citizenship. Fijian citizenship may be acquired through birth (including children born out of wedlock), registration or naturalisation. A child born in Fiji automatically becomes a citizen of Fiji unless a parent has diplomatic immunity or neither parent is a citizen of Fiji. Children born outside Fiji to a parent with Fijian citizenship at the time of the child's birth can obtain citizenship by registration. Naturalisation requires the applicant to have been resident in Fiji for at least five of the 10 years preceding their application. They must be of good character, have an adequate knowledge of English and undertake an oath of allegiance. Citizenship by descent is possible where at least one parent is a citizen of Fiji.
- 5.64 The 2013 Constitution allows former citizens of Fiji who lost their Fijian citizenship upon acquiring foreign citizenship to regain their Fijian citizenship. Citizenship may be deprived where there is a breach of allegiance to Fiji or the original Fijian citizenship was achieved through fraud, misrepresentation or the concealment of a material fact, as provided by the *Citizenship of Fiji Act 2009*. A person may renounce their Fijian citizenship if aged 18 or above and holds citizenship from another country.
- Fijian citizens have a constitutional right to apply for and be issued a passport or similar travel document. The *Passports Act 2002* includes provisions for the denial or cancellation of passports in certain circumstances (e.g. where a person is the subject of an arrest warrant, parole or bail or is deemed a risk of engaging in conduct that might prejudice Fiji's security, endanger the health or physical safety of others or interfere with their rights and freedoms). Obtaining a passport under false pretences, including through false statements, carries a penalty of 12 months' imprisonment and a fine of FJD2,000 (AUD1,350). Prison terms of up to five years and financial penalties of up to FJD10,000 (AUD6,750) apply for altering or falsifying a passport.
- 5.66 Ordinary Fijian passports have a sky-blue cover. They are valid for 10 years for persons aged 16 and above, five years for children under 16. Five-year passports are optional for persons over 75. A birth certificate, valid photo identification and, for married women, a marriage certificate are required for a new passport. Fijians abroad can apply for replacement passports through Fiji's diplomatic missions. Fijians in Australia can do this online. In March 2025, 10-year passports cost FJD682 (AUD460), five-year passports FJD252 (AUD170) and emergency and replacement passports FJD312 (AUD210).
- 5.67 Fiji introduced e-Passports with embedded microchips containing the bearer's biometric and biographic data in 2019. The data page is made from polycarbonate material. These passports are highly secure and align with international standards. Emergency passports do not contain microchips. Fiji exhausted its stock of blank passports in March 2025 and was issuing certificates of identity in their place. Like emergency passports, certificates of identity do not have microchips. Australia currently recognises Fijian certificates of identity as valid travel documents. New passport stock began arriving in August 2025.

#### **Prevalence of Fraud**

- 5.68 The use of false documents carries a maximum prison term of 10 years under the *Crimes Act 2009*.
- 5.69 In-country sources did not consider document fraud widespread. Document fraud was much more likely to take the form of fraudulent or altered bank statements, educational qualifications and employment references than passports, birth certificates or other forms of identity. Passports, given their security features, are very difficult to counterfeit. In-country sources were not aware of recent examples of people obtaining legitimate passports through fraudulent means.
- 5.70 Applicants for a driver's licence need to present their birth certificate or passport to prove their identity. As birth certificates have minimal security features, it may be possible to obtain a fraudulent driver's licence outside one's own community. Those documents can then be used to obtain other documents, including passports. Between 2023 and 2025, FICAC charged several former officers at the LTA with corruption-related offences for issuing fraudulent driver's licenses for financial gain. In the most high-profile case, five LTA officers fraudulently converted 234 mostly fake overseas driver's licenses (including from Australia, New Zealand, the Cook Islands and Papua New Guinea) to Fijian driver's licenses between 2020 and early 2022.