



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-fourth session
4-15 November 2019

Summary of Stakeholders' submissions on Fiji*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 8 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies²

2. The Human Rights and Anti-Discrimination Commission (HRADC) urged the State to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to establish a national preventive mechanism.³

3. JS4 recommended that the State ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.⁴

4. JS2 recommended that the State ratify the Geneva Conventions of 1949 and their Additional Protocols.⁵

5. The International Campaign to Abolish Nuclear Weapons (ICAN) noted with appreciation that Fiji was among the co-sponsors of the UN General Assembly resolution in 2016 that established the mandate for nations to negotiate the Treaty on the Prohibition of Nuclear Weapons and that it had signed the treaty. ICAN recommended that Fiji now ratify the Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.⁶

* The present document was not edited before being sent to United Nations translation services.



6. JS5 stated that the level of compliance to the conventions ratified by Fiji was lacking especially when taking into account reservations regarding the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁷

7. JS3 recommended that the Government extend a standing invitation to all United Nations Special Procedure mandate holders and prioritise official visits by the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the right to freedom of peaceful assembly and of association; and the Special Rapporteur on the independence of judges and lawyers.⁸

8. JS3 recommended that the Government systematically consult with civil society on the implementation of the universal periodic review, including by holding periodical comprehensive consultations with a diverse range of civil society. It also recommended that it incorporate the results of the third cycle of the universal periodic review into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of the third cycle of the universal periodic review.⁹

B. National human rights framework¹⁰

9. JS5 stated that pressing issues relating to the Constitution continued to exist, and that the immunity provisions which provided absolute and unconditional immunity for the 2006 coup could be reviewed, amended or repealed.¹¹

10. JS5 stated that the 2013 Constitution did not have definitions for racism or racial discrimination in Part B “Interpretation”.¹²

11. HRADC stated that it was committed towards ensuring compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It recognized that building public confidence by ensuring accessibility to the general public including persons living with disabilities, that it dispenses with its education and advocacy mandate, conducts independent investigations holding institutions and individuals to account, and exhausts remedies available under the law including instituting legal proceedings when fundamental rights and freedoms are infringed were integral in assuaging any imputations of an actual or perceived lack of independence.¹³

12. JS5 stated that the HRADC failed to comply with the Paris Principles. It stated that the HRADC was unable to receive or challenge complaints and investigate the legality or the validity of the Revocation Decree and other decrees made by the President. The process of appointing members of the HRADC (Chairman and Commissioners) including the criteria used was not clearly set out in law, hence appointments were made without transparent guidelines and the inclusion of relevant stakeholders such as civil society organisations. JS5 also stated that the funding provided for the Commission was limited, hence there were not enough resources to allow sufficient or wider outreach to the people of Fiji. It noted that the inaccessibility of the Commission to the public was a grave concern. JS5 furthermore stated that the current Director of the Commission was in conflict of interest while holding the Chairperson position in the Media Industry Development Authority, which was mandated to monitor, investigate and conduct enforcement regarding offences by media organizations.¹⁴

13. HRADC urged the State to, consistent with its voluntary pledge to the Human Rights Council, establish a National Mechanism for Implementation, Reporting and Follow-up with a fully integrated national recommendations tracking database embodying the engagement, coordination, consultation and information management capacity.¹⁵

14. JS1 recommended that the Government enact laws and policies that give full force and effect to the UN Declaration on Human Rights Defenders, including through a specific national law on the recognition and protection of defenders.¹⁶

15. JS1 recommended that the Government incorporate sexual orientation into anti-discrimination laws.¹⁷

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

*Equality and non-discrimination*¹⁸

16. HRADC urged the State to adopt the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. It also urged the State to convene a national dialogue, consistent with recommendations of the Special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.¹⁹

17. JS5 stated that lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons had faced discrimination when accessing health care, housing or when employed or seeking employment.²⁰

18. JS2 recommended that cases of discrimination on the grounds of sexual orientation or gender identity or expression be seriously dealt with taking into consideration the constitutional right to equality and freedom from discrimination in line with human rights standards highlighted in the Yogyakarta Principles, and stated that these must be fully recognized and implemented including legal recognition for gender diverse persons.²¹

19. JS1 noted that the right to non-discrimination and to be free from violence and harassment was usually denied by omitting sexual orientation in domestic laws. It noted that lesbian, gay, bisexual, transgender and intersex (LGBTI) activists were often criticized for introducing language on LGBTI in policy spaces. It also noted that LGBTI human rights defenders continued to face multiple levels of threats and sex harassment.²²

20. JS5 stated that the minority groups in Fiji were socially and politically marginalized. It noted that there had been a problem of a lack of disaggregated data regarding the socioeconomic situation of the minority groups and that the Fiji Bureau of Statistics did not release ethnicity data in the 2017 census.²³

*Development, the environment, and business and human rights*²⁴

21. HRADC urged the State to strengthen the inclusion and participation of vulnerable and marginalised communities including women, children and persons with disabilities into all emergency responses in times of natural disasters. It also urged the State to strengthen the rights based approach in the implementation and roll out of policies and guidelines in building climate resilience in Fiji.²⁵

22. JS5 stated that relocation of villages due to climate change presented women with challenges in terms of economic empowerment, and that after the relocation they were more dependent on their husbands. It recommended that the Government involve women in consultations for the planning of the relocation of villages so they are not disempowered in any way.²⁶

23. JS2 recommended that the State, through the National Disaster Management Office, evaluate all the evacuation centres in terms of accessibility, lighting, security and provide greater policing of the evacuation centres during imposed disaster context.²⁷

24. JS5 recommended that disaster risk management policies should include addressing the issue of violence against members of the LGBTIQ community during natural disasters.²⁸

25. JS5 stated that the Government had systematically ignored or paid little attention to the environment impact assessment process, especially in mitigating the predicted impacts of extractive mining by developers.²⁹

26. JS5 recommended that the Government ensure more awareness on the impact of extractives on sustainability of the environment, health and standard of living.³⁰

2. Civil and political rights

*Right to life, liberty and security of person*³¹

27. JS5 stated that although Fiji had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, there had been slow implementation of the same. It stated that the Public Order (Amendment) Act 2017 allowed for force to be implemented by police officers when needed, as per section 9 (3).³²

28. HRADC stated that regarding complaints received from 2016 to 2018, allegations had included assault of suspects, including minors, during arrest and assault by police officials while in custody resulting in physical injuries sustained by complainants.³³

29. HRADC stated that between 2016 and 2018, it had received complaints from inmates at various correction facilities claiming brutality by corrections officers, including physical assaults.³⁴

30. HRACD stated that between 2016 and 2018, it had received complaints alleging deplorable conditions in cell blocks, police interviewing teenage girls without consent of their parents and forcing them to undergo medical examination, limitation to visitation rights, failure by the police to inform family about the arrest, suspects being detained for more than 48 hours, suspects abused by others detained in police custody, and inmates at Correction centres not having been provided with meals.³⁵

31. JS3 recommended that the Government review and, if necessary, update existing human rights training for police and security forces, with the assistance of independent civil society organisations, to foster the more consistent application of international human rights standards, including the United Nations Basic Principles on the Use of Force and Firearms.³⁶

*Administration of justice, including impunity, and the rule of law*³⁷

32. JS1 noted that while the Constitution guaranteed independence of the judiciary, the judiciary was vulnerable to interference and abuse by the executive given that the latter had the power to appoint and dismiss judges on the Supreme Court and other high courts.³⁸

33. JS1 noted that the Government had failed to revoke immunities for security forces and clear away obstacles to accountability. It recommended that the Government investigate and hold security forces accountable for the torture and ill-treatment of detainees.³⁹

34. JS3 recommended that it conduct impartial, thorough and effective investigations into all cases of attacks, harassment, and intimidation against civil society members, journalists and human rights defenders and bring the perpetrators of offences to justice.⁴⁰

35. JS2 stated that it took women on average 868 days from the first incident of violence to access formal justice, due to various factors such as the cost in relation to filing fees, the distance from their homes to formal justice sector agencies, and complexities in relation to a lack of awareness of the processes and the available formal justice sector agencies.⁴¹

36. JS2 recommended that fee waiver information be displayed at the Court Registries and that the Government allocate funds to assist women from low income households to access formal justice through the Ministry of Women, Children and Poverty Alleviation. It also recommended for the judiciary to have regular circuit court sittings and to utilize technology by having video court sittings.⁴²

37. JS4 stated that under the Juveniles Act, a juvenile was defined as a person who had not attained the age of 17 years, and that as a result, an offender was not liable for the sexual exploitation of a child through child sexual abuse materials if the child was aged 17. It recommended that the Government revise the Juveniles Act to define “juvenile” as any person under the age of 18.⁴³

38. JS4 stated that Section 230 of the Crimes Act imposed a sentence of 6 months imprisonment for living “wholly or in part on the earnings of prostitution”. It noted that Section 27 stated that a child over 10 years but under 14 years may be held criminally liable, and that this seemed to leave child victims of prostitution over age 10 open to criminal prosecution. JS4 recommended that the Government revise Section 230 of the Crimes Act to explicitly exempt children, defined as any person under the age of 18, from criminal liability for living “wholly or in part in the earnings of prostitution”.⁴⁴

*Fundamental freedoms and the right to participate in public and political life*⁴⁵

39. JS2 stated that Fiji had an extensive nongovernmental organization (NGO) network, which largely operated without Government interference. It noted that strict sedition laws, which criminalized criticism of the Government, placed sharp constraints on the range of initiatives that NGOs could undertake.⁴⁶

40. JS3 stated that charges of contempt for “scandalising the courts and judiciary” had been used to silence dissent.⁴⁷

41. JS2 noted that NGOs had been critical of the Parliamentary Powers and Privileges Act, which they claimed criminalized criticism of parliament and could further erode civic space.⁴⁸

42. JS3 stated that the existence of restrictive laws had compelled civil society organisations to self-censor.⁴⁹

43. JS3 called on the Government to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the International Covenant on Civil and Political Rights, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.⁵⁰

44. JS1 stated that, while conditions had improved and human rights defenders now operated in a relatively free environment, the rights to freedom of expression and assembly continued to be limited and that more remained to be done to ensure an enabling environment for human rights defenders. It recommended that the Government refrain from criminalising the legitimate activities of human rights defenders and repeal all laws and policies that restrict their activities and fundamental rights to freedom of expression, assembly and association, including sections of the Public Order Act Amendment Decree, the Media Industry Development Decree, the 2014 Electoral Decree and the Online Safety Bill.⁵¹

45. JS3 recommended that the Government ensure that human rights defenders are able to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.⁵²

46. JS3 stated that sedition provisions in the Crimes Act had been used by the authorities to target the media and opposition politicians. It recommended that the Government repeal the sedition provisions of the Crimes Act.⁵³

47. JS1 stated that journalists occasionally faced harassment and intimidation, and that the Government sometimes used the legal system to target individual journalists for defamation or contempt of court.⁵⁴

48. JS1 stated that the media tended to self-censor and not cover issues that might be controversial, which could extend to human rights.⁵⁵

49. JS3 stated that the Media Industry Development Act (Media Act) had created a chilling effect for media and press freedom. JS3 noted that the Act stipulated, in Article 22, that the media could not publish material that threatened public interest or order, was against the national interest, or created communal discord. Any media organisation that breached this provision could be sanctioned by a fine of up to 100,000 Fijian dollars (approximately US\$48,000) and/or imprisonment of up to two years, according to Article 24. The Media Act established the Fiji Media Industry Development Authority (MIDA), which had wide powers of investigation over journalists and media outlets, including powers of search and seizure, and the power to refer any complaint received to the Media Tribunal. JS3 stated that under article 26 of the Act, journalists could be forced to reveal

their sources to MIDA. It noted that in 2016, the Media Act was amended to prohibit the airing of local content, including news, by subscription-based television services.⁵⁶

50. JS5 recommended that the Media Industry Development Act be reviewed and that provisions that restrict freedom of expression particularly for journalists be removed.⁵⁷

51. JS3 stated that there were concerns that the Online Safety Act could restrict the freedom of expression, and noted that civil society organisations had stated that it would create an atmosphere of censorship and could be misused to criminalise legitimate speech.⁵⁸

52. JS3 recommended that the Government take adequate steps to lift restrictions on the freedom of expression and adopt a framework for the protection of journalists from persecution, intimidation and harassment.⁵⁹

53. JS3 was alarmed by the continued use of laws such as the Public Order (Amendment) Act to restrict the right to peaceful assembly, especially for trade unions.⁶⁰

54. JS1 noted that police permits were required for public gatherings and protests, and that civil society had reported that the permit process could be lengthy.⁶¹

55. JS1 noted that some LGBTI organizations have had applications for permits for peaceful assemblies delayed and denied.⁶²

56. JS3 recommended that the Government amend the Public Order (Amendment) Act in order to guarantee fully the right to the freedom of assembly and to remove restrictions other than those provided for within the framework of international law.⁶³

57. JS3 stated that while most civil society organisations were able to register and operate with minimum government interference, there were groups that had faced challenges. It recommended that the Government remove all undue restrictions on the ability of civil society organisations to register under the Charitable Trusts Act, undertake activities in line with best practices articulated by the UN Special Rapporteur on the rights to peaceful assembly and of association, and immediately recognise all civil society organisations that have been arbitrarily and unduly denied registration.⁶⁴

58. JS5 recommended that the Government urgently review and amend the Electoral Act 2014 to allow for inclusivity and confidence in the electoral process. It stated that a more clear and practical accreditation process was required for domestic observer groups with the help of the Elections Office in implementing prior collaborative training programs with civil society organisations.⁶⁵

Prohibition of all forms of slavery

59. JS4 stated that the Employment Relations Act 2007 prohibited the sale and trafficking of children, but that it did not explicitly prohibit trafficking for the purposes of child, early and forced marriage.⁶⁶

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work⁶⁷

60. JS2 recommended that the State review the national minimum wage taking into consideration the poverty line and the cost of proper housing, and increase the minimum wage in order for workers to enjoy a decent life.⁶⁸

61. JS2 noted that workers were subjected to individual contracts that allowed the employer at will to terminate the contract without cause and that this had further led to some employers only providing short term contracts, stripping the employees from any benefits which they otherwise would have been entitled to. It stated that such contracts denied the workers from having an effective voice in the workplace and forced them to accept any terms and conditions.⁶⁹

62. JS3 stated that there was growing concern among some trade unions in Fiji, in particular among public sector unions, that the Government was seeking to weaken and dismantle the trade union movement. It recommended that the Government guarantee the effective and independent functioning of autonomous trade unions by removing undue

limitations in the Employment Relations (Amendment) Act 2015 on the right to form and join a union, undertake collective bargaining and strike.⁷⁰

63. JS5 stated that there was a continued practice of the Government to dismantle platforms of social dialogue and tripartism. It recommended that the Government respect the ILO Convention on Tripartite Consultation (No.1440) and engage in meaningful and genuine social dialogue.⁷¹

64. JS5 stated that the proposal to reinstate Wages Councils as the tripartite structure to provide non-unionized workers with the barest protection against absolute exploitation had been entirely abandoned by the Government. It recommended that the Government reconsider its action in removing the basic protection afforded to Fiji's most vulnerable workers through the Wages Councils.⁷²

65. JS2 recommended that the State effectively implement and monitor the National Employment Policy, particularly relating to maternity leave.⁷³

66. JS2 recommended that the State review the current judicial system in relation to employment and formulate a system which expedites the process in order to ensure a swift hearing of cases.⁷⁴

67. JS2 recommended that the State address the gender pay gap by having specific language in the National Wage Policy and the effective implementation of the same within all sectors.⁷⁵

Right to social security

68. JS5 recommended that the Government ensure the equal access of persons with disabilities to an adequate standard of living and social protection programs as well as access to affordable and quality disability-related services and assistance to cover disability-related expenses.⁷⁶

69. JS4 stated that Fiji's social programmes addressing the unique needs of child victims of trafficking and other forms of sexual exploitation of children were largely based in Suva and primarily targeted girls. It recommended that the Government expand social programmes directed at child victims of sexual exploitation to protect children, both boys and girls, nationwide.⁷⁷

Right to an adequate standard of living⁷⁸

70. JS4 stated that despite the economic upswing, poverty remained endemic, with 40% of the country's population living below the poverty line. It stated that increased urbanization had led to additional problems. Families that had migrated to urban centres, with limited access to social services and separation from the safety net of their community, faced higher risks of poverty and/or living in the street.⁷⁹

Right to health⁸⁰

71. JS2 stated that mental health survivors in Fiji were a particularly disempowered and vulnerable group, subjected to forms of violence that were often undocumented. It stated that they faced stigma, discrimination and isolation. They lacked access to information about their rights and how to exercise them as well as legislation to protect them. JS2 also stated that suicide was an emerging concern.⁸¹

72. JS2 recommended that the State decentralize information regarding mental health and suicide prevention and disseminate it, especially in the maritime areas. It recommended that the State revive community mental health programs such as the peer education program.⁸²

73. JS2 recommended that the State incorporate mental health education in the school curriculum to create awareness about mental health issues including through trained counsellors in schools.⁸³

74. JS2 was concerned about the high number of teenage pregnancies.⁸⁴

75. JS2 stated that the current provisions for sexual and reproductive health were inadequate for women living with disabilities as they continued to face challenges in accessing maternal and child health services.⁸⁵

76. JS2 recommended that the State review and strengthen sexual and reproductive health and rights and comprehensive sexuality education for young people in and out of schools. It also recommended that it improve access to free sexual and reproductive health information, diagnostic tests, hospital care and treatment for cervical, breast and other reproductive cancers.⁸⁶

77. JS5 recommended that health care workers be sensitized on transgender rights, and that health policies be strengthened to be inclusive of the needs of gender diverse persons.⁸⁷

*Right to education*⁸⁸

78. JS4 stated that family problems, including parental neglect and lack of family support, had been suggested as prevalent reasons for children leaving school and being sexually exploited through prostitution. Financial hardships were also common reasons why children did not complete their education. It stated that children who discontinued school were at an increased risk of a range of abuses and exploitation.⁸⁹

79. HRADC urged the State to embed human rights education into the school curriculum.⁹⁰

4. Rights of specific persons or groups

*Women*⁹¹

80. JS2 noted that gender inequality permeated most sectors of society and that few measures to develop women's social, economic, and political life had been adequately supported.⁹²

81. JS5 recommended that the Government send strong messages about gender equality, non-discrimination and promoting tolerance and respect as a holistic approach to ending violence against women and children.⁹³

82. JS2 stated that Fiji had a 'no drop policy' for criminal cases that required the police and prosecutors to take the case to court. It noted that police often told women to resolve the issue within the family or village or that the police did not take them seriously. It stated that the attitude of the police in terms of how violence against women cases were dealt with exacerbated the situation in causing women to remain in a violent environment and continue to suffer, in some cases to the point of losing their lives. It stated that due to entrenched patriarchy in Fiji, cases of violence against women were not adequately addressed.⁹⁴

83. JS2 recommended that the State create a special unit within the police force to combat violence against women of all diversities and other vulnerable or marginalized groups. It also recommended that the "no drop policy" be effectively implemented and that the policy's importance be emphasized during in-house police trainings.⁹⁵

84. JS2 stated that sexual harassment was an ongoing issue, exacerbated by the lack of specific legislation on the sexual harassment. It recommended that the State amend the Crimes Act to include a specific section on sexual harassment with harsh penalties.⁹⁶

85. JS5 recommended that the Government ensure, through the Ministry of Employment, greater enforcement of sexual harassment policies in the public and private sector.⁹⁷

86. JS2 recommended that the State introduce temporary special measures in parliament, political parties and public services to increase the number of women in decision making positions.⁹⁸

Children

87. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children was still lawful in the home and in alternative and day care settings. It stated that corporal punishment was prohibited in schools under a High Court ruling, which stated that corporal punishment was unconstitutional, however, the High Court prohibition was yet to be confirmed in legislation. It recommended that legislation be enacted to explicitly prohibit all corporal punishment in all settings, including the home, and repeal all legal defences for its use, including in the Juveniles Act 1974.⁹⁹

88. HRADC urged that, consistent with section 11(2) of the Constitution, measures be taken to comprehensively prohibit corporal punishment in all spheres including alternative care settings.¹⁰⁰

89. JS4 stated that Fiji's traditional and conservative social context contributed to children's vulnerability to sexual exploitation, with men exercising control through violence within the community and family.¹⁰¹

90. JS4 stated that Fiji's dependence on tourism increased children's vulnerability to sexual exploitation in travel and tourism. It stated that boys in Fiji were sexually exploited in travel and tourism to an increasing extent but had less access to rehabilitation, reintegration or counselling services than many girls.¹⁰²

91. JS4 stated that though little research had been done recently to investigate the exploitation of children in prostitution, it was known to be the primary form of sexual exploitation of children in Fiji. While girls comprised the majority of children exploited in prostitution in Fiji, boys were also exploited. JS4 stated that many young girls were exploited in prostitution as a means of survival and to provide income for their families.¹⁰³

92. JS4 stated that Fiji lacked a legal framework protecting children from sexual exploitation in travel and tourism. Fiji had neither criminalized visiting the country with the intention to sexually exploit a child nor travelling to another country with the intention of sexually exploiting a child. It recommended that the Government adopt specific legal provisions to define and criminalise the sexual exploitation of children in travel and tourism.¹⁰⁴

93. JS4 recommended that the Government expand the scope of the Online Safety Act to criminalize online 'grooming' and audio child sexual abuse materials.¹⁰⁵

94. JS4 recommended that the Government adopt a national plan of action to address all manifestations of sexual exploitation of children and provide adequate human and financial resources for its implementation.¹⁰⁶

95. JS4 recommended that the Government enshrine in national legislation the right to a remedy for all child victims of sexual exploitation and establish a State fund to compensate child victims.¹⁰⁷

96. JS4 stated that the practice of early and arranged marriages was notable in the Indo-Fijian community.¹⁰⁸

*Persons with disabilities*¹⁰⁹

97. JS5 recommended that the Government review and amend legislation to align it with the Rights of Persons with Disability Act of 2018, and ensure budgetary allocations to support its implementation.¹¹⁰

98. JS5 stated that Fiji was yet to have a comprehensive set of regulations that would cover public infrastructure, transportation, private services open to the public, information and communication services in line with the Convention on the Rights of Persons with Disabilities.¹¹¹

*Minorities and indigenous peoples*¹¹²

99. JS5 stated that the Surfing Act 2010 impinged on the *qoliqoli* or fishing areas of the traditional iTaukei landowners as it merely allowed the license holders to deal with the Fiji Revenue Customs Authority and ostracize the *qoliqoli* owners. It recommended that the

Government ensure the implementation of free, prior and informed consent and consult with the traditional *qoliqoli* owners on the usage of their fishing areas, by reviewing the Regulation of Surfing Act 2010.¹¹³

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

GIEACPC	Global Initiative to End All Corporal Punishment of Children (London, United Kingdom);
HRADC	Human Rights and Anti-Discrimination Commission (Suva, Fiji); Attachments: Annexure A: Nature of complaint received by the National Human Rights and Anti-Discrimination Commission;
ICAN	International Campaign to Abolish Nuclear Weapons (Geneva, Switzerland).

Joint submissions:

JS1	Joint submission 1 submitted by: International Service for Human Rights (Geneva, Switzerland); Rainbow Pride Foundation (Suva, Fiji);
JS2	Joint submission 2 submitted by: Fiji Women's Rights Movement (Suva, Fiji); Citizens Constitutional Forum (Suva, Fiji); Fiji Women's Crisis Centre (Suva, Fiji); Haus of Khameleon (Suva, Fiji); Rainbow Pride Foundation (Suva, Fiji); Youth Champs for Mental Health (Suva, Fiji); Reproductive & Family Health Association of Fiji (Suva, Fiji); Interfaith Search Fiji (Suva, Fiji); Medical Services Pacific (Suva, Fiji); Bua Urban Youth (Suva, Fiji); National Union of Factory and Commercial Workers (Suva, Fiji);
JS3	Joint submission 3 submitted by: CIVICUS: World Alliance for Citizen Participation (Johannesburg, South Africa); Pacific Islands Association of Non-Government Organisations (Suva, Fiji); Fiji Women's Rights Movement (Suva, Fiji); Citizens' Constitutional Forum (Suva, Fiji);
JS4	Joint submission 4 submitted by: Save the Children Fiji (Suva, Fiji), ECPAT International (Bangkok, Thailand);
JS5	Joint submission 5 submitted by: Citizens' Constitutional Forum (Suva, Fiji); Fiji Women's Rights Movement (Suva, Fiji); Fiji Women's Crisis Centre (Suva, Fiji); Save the Children Fiji (Suva, Fiji); Ecumenical Centre for Research and Advocacy (Suva, Fiji), Social Empowerment and Education Programme (Suva, Fiji); Fiji Disabled People's Federation (Suva, Fiji); Fiji Council of Social Services (Suva, Fiji); Haus of Khameleon (Suva, Fiji); Rainbow Pride Foundation (Suva, Fiji); Bua Urban Youth Network (Suva, Fiji); Fiji Trades Union Congress (Suva, Fiji).

² For relevant recommendations see A/HRC/28/8, paras. 99.1-99.16, 99.27-99.31, 100.1, 101.1-101.9, 101.13, and 101.15-101.29.

³ HRADC, para. 52.

⁴ JS4, p. 7. See also JS5, p. 12.

⁵ JS2, para. 101.

⁶ ICAN, p. 1.

⁷ JS5, para. 1.13.

⁸ JS3, para. 6.5.

⁹ *Ibid.*, para. 6.6.

¹⁰ For relevant recommendations see A/HRC/28/8, paras. 99.17-99.25, 100.2-100.3, 101.10-101.12, and 101.14.

¹¹ JS5, para. 1.17.

¹² *Ibid.*, para. 1.37.

- ¹³ HRADC, paras. 5 and 7.
¹⁴ JS5, para. 1.14.
¹⁵ HRADC, para. 51.
¹⁶ JS1, p. 4. See also JS3, para. 3.2.
¹⁷ Ibid., p. 4.
¹⁸ For relevant recommendations see A/HRC/28/8, paras. 99.49-99.51.
¹⁹ HRADC, para. 53.
²⁰ JS5, para. 1.20.
²¹ JS2, para. 65. See also JS5, p.7.
²² JS1, p. 3.
²³ JS5, para. 1.38.
²⁴ For relevant recommendations see A/HRC/28/8, para. 99.26.
²⁵ HRADC, paras. 55 and 56. See also JS2, paras. 96 and 100.
²⁶ JS5, para. 1.24 and p. 8.
²⁷ JS2, para. 97.
²⁸ JS5, p. 7.
²⁹ Ibid., para. 1.40.
³⁰ Ibid., para. 14.
³¹ For relevant recommendations see A/HRC/28/8, paras. 99.52-99.55, 99.57-99.58, and 100.5.
³² JS5, para. 1.18.
³³ HRADC, Annex A, p. 2.
³⁴ Ibid., Annex A, p. 3.
³⁵ Ibid., Annex A, p. 3.
³⁶ JS3, para. 6.4.
³⁷ For relevant recommendations see A/HRC/28/8, paras. 99.59-99.60, 99.56, 100.6-100.8, and 101.31.
³⁸ JS1, p. 3.
³⁹ Ibid., pp. 3 and 4.
⁴⁰ JS3, para. 6.2.
⁴¹ JS2, paras. 12 and 13.
⁴² Ibid., paras. 39-41.
⁴³ JS4, para. 21 and p. 7.
⁴⁴ Ibid., para. 19 and p. 7. See also JS5, para. 1.36 and p. 12.
⁴⁵ For relevant recommendations see A/HRC/28/8, paras. 99.64-99.74, 100.10-100.12, and 101.33-101.40.
⁴⁶ JS2, para. 7. See also JS3, para. 1.7.
⁴⁷ JS3, para. 4.7.
⁴⁸ JS2, para. 7. See also JS1, p. 2.
⁴⁹ JS3, para. 2.2.
⁵⁰ Ibid., p. 11.
⁵¹ JS1, pp. 2 and 4. See also JS3, para. 6.2.
⁵² JS3, para. 6.2.
⁵³ Ibid., paras. 4.3 and 6.3. See also JS5, para. 1.25.
⁵⁴ JS1, p. 2. See also JS3, para. 3.2.
⁵⁵ Ibid., p. 2.
⁵⁶ JS3, para. 4.5.
⁵⁷ JS5, p. 9. See also JS3, para. 6.3.
⁵⁸ JS3, para. 4.10.
⁵⁹ Ibid., para. 6.3.
⁶⁰ Ibid., para. 1.8.
⁶¹ JS1, p. 3.
⁶² Ibid., p. 3. See also JS3, para. 2.3.
⁶³ JS3, para. 6.4. See also JS5, paras. 1.28 and 1.29.
⁶⁴ Ibid., paras. 2.3 and 6.1.
⁶⁵ JS5, p.5.
⁶⁶ JS4, para. 24.
⁶⁷ For relevant recommendations see A/HRC/28/8, paras. 99.61-99.63, 100.9, and 101.32.
⁶⁸ JS2, para. 75.
⁶⁹ Ibid., para. 79.
⁷⁰ JS3, paras. 2.6 and 6.1.
⁷¹ JS5, para. 1.31 and p.11.
⁷² Ibid., para. 1.32 and p. 11.
⁷³ JS2, para. 84.

- ⁷⁴ Ibid., para. 82.
⁷⁵ Ibid., para. 78.
⁷⁶ JS5, p. 13.
⁷⁷ JS4, p. 12.
⁷⁸ For relevant recommendations see A/HRC/28/8, paras. 99.75-99.78.
⁷⁹ JS4, paras. 5 and 6.
⁸⁰ For relevant recommendations see A/HRC/28/8, paras. 99.79-99.80.
⁸¹ JS2, para. 48.
⁸² Ibid., paras. 49 and 50.
⁸³ Ibid., para. 52.
⁸⁴ Ibid., para. 54.
⁸⁵ Ibid., para. 54.
⁸⁶ Ibid., paras. 56 and 57.
⁸⁷ JS5, p. 7.
⁸⁸ For relevant recommendations see A/HRC/28/8, para. 99.81-99.84.
⁸⁹ JS4, para. 9.
⁹⁰ HRADC, para. 54.
⁹¹ For relevant recommendations see A/HRC/28/8, paras. 99.32-99.46, and 100.4.
⁹² JS2, para. 8.
⁹³ JS5, p. 8.
⁹⁴ JS2, paras. 24 and 25. See also JS5, para. 1.22.
⁹⁵ Ibid., paras. 27 and 30. See also JS5, p.8.
⁹⁶ Ibid., paras. 22 and 32.
⁹⁷ JS5, p. 8.
⁹⁸ JS2, para. 70.
⁹⁹ GIEACPC, pp. 2 and 3. See also JS5, para. 1.34 and p. 12.
¹⁰⁰ HRADC, para. 37.
¹⁰¹ JS4, para. 7.
¹⁰² Ibid., para. 15.
¹⁰³ Ibid., paras. 8 and 9.
¹⁰⁴ Ibid., para. 26 and p. 7.
¹⁰⁵ Ibid., p. 7.
¹⁰⁶ Ibid., p. 9.
¹⁰⁷ Ibid., p. 9.
¹⁰⁸ Ibid., para. 16.
¹⁰⁹ For relevant recommendations see A/HRC/28/8, paras. 99.85-99.86.
¹¹⁰ JS5, p. 13.
¹¹¹ Ibid., para. 1.39.
¹¹² For relevant recommendations see A/HRC/28/8, para. 101.30.
¹¹³ JS5, para. 1.38 and p. 13.
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