

SAFE MIGRATION PRACTICES REPORT 2013

Raising Awareness on Safe Migration Practices Among Youths in Fiji

April 2013



**Youths in Fiji are susceptible to bad migration practices
in their search for greener pastures overseas.**

Prepared for: ACP Migration Facility



ACP Migration Facility – Pacific Dialogue Project Report

Prepared by: Pacific Dialogue

Pacific Dialogue is a Fiji-based non-governmental organisation founded in December 2009 by a group of civil society activists whose long working experience in the fields of security, faith, justice and peace gave them a unique insight into the challenges facing Fiji.

Pacific Dialogue works on three main areas: Traditional Leadership, Democracy and Elections, and, Law and Justice.



April 2013
Suva
FIJI

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Map of the Fiji Islands



Source: Google Maps

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Vinaka vaka levu

Thank you

Dhanya Vaad

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PREFACE

The prospects offered by the possibility of migration have captured the imagination of many of Fiji's young people, who are in search of greener pastures. Much of the older section of the populace is also attracted by the possibility of migration, for example: Outward migration became a major trend in Fiji after its first military coup of 1987, and has gained momentum and remained at significant levels since then. It has subsequently altered the country's demographics over a 25-year period and caused a major loss in skilled labour. In the midst of such a scenario, migration has become an increasingly attractive option for Fiji's young people, who are leaving the country in search of greener pastures, taking potentials that would have otherwise added to Fiji's economic capacity.

Short-term, skill-specific migration to meet labour demands in foreign destinations is a relatively new occurrence although the movement of Fijian nurses to lucrative destinations such as the United Arab Emirates has been among the long-standing migration trends of Fiji.

Such migration is an occurrence triggered and facilitated via many conduits. The most damaging of these experiences in Fiji took place over a period of the past four years (2008 to 2013) when more than 8,000 young people responded to a nation-wide drive by a foreign company recruiting locals to work as security personnel in Kuwait and the United Arab Emirates (UAE). The company amassed nearly \$2million in administration and passport fees but only 200 people in Fiji received job offers. Unfortunately, the job offers to even these few did not last the full duration of the promised timeframe.

In its larger context, it is vital to understand the issue of population mobility, its implications for families and the challenges that the issue poses for policy makers, while reaching out to people facing similar situations as they grope for direction and positive outcomes. Awareness via discussion forums at village, district and provincial levels can assist in capturing quality data. There is a need to raise this concern, build a common understanding and formalize inputs to the planning process, through structured national consultation processes. This can help gain firm ground in Fiji and around the region towards achieving a better understanding of the multiple issues associated with migration, as well as creating awareness and building pathways towards addressing both its positive and negative implications.

Information sessions are an effective way of raising awareness where the law is slow at work and where government programs are not working in real time because often, the plight of would-be-migrants hardly attracts the attention of policy makers and vital agencies. The safe migration awareness project was a timely initiative to promote the issue.

On the positive side, the awareness program noted encouraging signs of willingness expressed by young people to engage the issue and share information on it. Fiji, among regional island states, this awareness process is at a critical juncture and there is a sense of urgency to take the

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process forward to a larger scale and provide inputs for positive changes in policies and programs. The project was a step in that direction, assessing and examining the extent and complexity of the problem and developing appropriate policy recommendations and programmatic strategies.

We hope this report will serve to boost the information and insight gained from the interaction during the information sessions in the three regions in Fiji, and provide a framework for future collaborative actions.

Jone Dakuvula
Chief Executive Officer
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ACRONYMS AND ABBREVIATIONS

ACP	- African Caribbean Pacific
BBS	- Black Birding System
ERP	- Employment Relations Promulgation 2007
FES	- Foreign Employment Services
FIC	- Forum Island Country
FIRCA	- Fiji Islands Revenue and Customs Authority
HT	- Human Trafficking
HS	- Human Smuggling
ILO	- International Labour Organisation
IOM	- International Organisation on Migration
NEC	- National Employment Centre (in Fiji)
OM	- Organisation on Migration
PD	- Pacific Dialogue Limited
PIC	- Pacific Island Country
PIDC	- Pacific Immigration Directors Conference
PIFS	- Pacific Islands Forum Secretariat
SMP	- Safe Migration Practices
SPC	- Secretariat of the Pacific Community
UAE	- United Arab Emirates
UNDP	- United National Development Programme
USP	- University of the South Pacific

KEY WORDS

Migration, Labour Mobility, Awareness Raising, Safe Migration Practices, Risks of Migration, Human Trafficking, Best Practices, Migrants, Human Smuggling, Vulnerability, Exploitation, Lucrative Opportunities, Fraud, Mitigation, Risk Analysis, Demographic, Economic Stagnation, Sustainability

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EXECUTIVE SUMMARY

Safe migration in Fiji remains confined to the upper levels of the country's social strata. There is a general lack of awareness over its impact upon Fiji's ordinary citizens. Consequently, the need to address safe migration within all forms of migration and labour practices leaves certain types of migration or labour practices out of the equation. There is therefore, fragmented awareness raising, leading to the formulation of partial solutions. Young people need to be informed about the potential risks of migrating coupled with non-familiarity about safe migration. The global picture is that like Fiji, many sending countries lack the political commitment and competent, well-trained and dedicated officials to achieve best practice in this sector.

Ideally and in any context, the protection of migrants' rights as well as labour rights could be premised on an overarching framework that collectively promotes labour, migrants' and human rights. Such a holistic framework enables awareness initiatives to move from narrow frameworks such as crime prevention and combating irregular migration to a framework encompassing human rights generally, and, migrants' rights and labour rights, more specifically. The rationale behind such a framework is to protect migrants' rights in their totality.

Pre-departure preparation and training is an important element that determines the success or otherwise of migrants. Some of the elements of high quality training include specific skills related to the type of work available at the destination, targeted cultural awareness, language, explanation of rights and obligations, ridding the migrant worker of false expectations and providing the worker with the means to respond effectively to mistreatment, exploitation and infringement of rights. The Fiji government has begun vital work in this respect.

Additionally, a study of the patterns associated with the return to the home country can be crucial in influencing the extent of the developmental impact of migration. Facilitating the safe return of labour migrants is best practice at both, the originating country and, the destination. Reintegration programs for returning migrant workers are not well-developed in Fiji. It is apparent that many returnees lack the space to engage in productive investments. There is a necessity to factor migration into national development strategies to recognise and capture the potential that remittances have, as an important factor in development.

Recommendations:

- That, young people be actively engaged as coordinators in projects that involve peer education and mobilisation of youths, in the implementation of safe migration projects.
- That, safe migration awareness is promoted at village, district and provincial level and relevant stakeholder forums, which can assist in capturing quality data, be used to build a common understanding and formalize inputs to the planning process through structured national consultation processes in Fiji and the region.

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- That, future replications of safe migration practices be encouraged to facilitate a system that links skills-needs-identification with the local labour market. An innovative cooperation between all sectors, focused on identifying market labour skills needs and the National Employment Centre (NEC), will strengthen public capacity to establish a vocational training program that properly addresses actual labour market requirements. Fiji is making progress in this direction as well.
- That, stakeholders and administrative authorities be trained in how to address migration issues when it comes to young people.
- That, more involvement of the media be encouraged as strategic allies in promoting safe migration.
- That, a longer-term monitoring programme be implemented, to help appraise the effects of migration flows as well as of remittances and migrants' investments, in Fiji. On-going work within the SMP strategy should be able to address the need for better linkages on the monitoring of the migration cycle, including Fijians abroad and internal migration in Fiji.
- That, stakeholders build a common understanding and formalize inputs to a planning process through a structured national consultation in order to gain firm ground in Fiji and around the region, on the impact of migration on local communities and the best strategies for dealing with this.
- That, further efforts be made to boost the rich interaction which took place during the information sessions in the three regions in Fiji, by organizing a framework for future collaborative actions with the relevant agencies.
- That, as a best practice measure, strategies be put in place to facilitate the safe return of Fiji's labour migrants, and that reintegration programs and strategies be developed for returning migrant workers to promote their engagement in productive investments in the country in recognition of potential remittances as an important factor in development.
- That, a strategy be sought to address the current policy framework to channel funds from national to divisional level to decentralize the awareness process.

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1.0 INTRODUCTION

A vital part of the history of labour migration in Fiji can be traced back to the mid-eighteenth century when indentured labourers arrived from India to work on the sugarcane plantations. Close on the heels of this system followed the black-birding system when workers from Solomon Islands and the former New Hebrides (now Vanuatu) were forcibly recruited to work in cotton plantations in Fiji and sugar cane fields in Queensland, Australia where they are now commonly referred to as South Sea Islanders.¹

Migration is an increasingly global phenomenon with its benefits, both positive and negative, permeating human societies. In Fiji, potential migrants are affected by poverty, unemployment and a lack of information. These factors contribute to migrants' vulnerabilities to exploitation by those who dangle false lucrative opportunities overseas. In 2010, 4,371 people migrated from Fiji, and 8,534 left to seek employment. There is a need therefore for potential migrants to be informed of the risks so that they can make more informed choices about migration.

The safe migration project is in keeping with this objective. It is aimed at empowering the public to readily recognise the risk of fraud and to allay those risks. The project aimed to reduce the vulnerability of the public to fraud relating to unsafe migration practices and those unrelated to migration. It provided young people with the tools to approach migration from an informed perspective and raise awareness of the risks of migration to reduce their vulnerability to exploitative practices.

Young people are a key demographic in studies on migration and are considered vulnerable to exploitation when migrating, due to their relative lack of skills and experience. University and vocational students form the core of this target group. Over 50% of Fiji's population is aged under-29, and unemployment has become a risk for this demographic group due to economic stagnation. This group is thus likely to migrate overseas in search of work.²

The following key subjects were covered in detail during the consultative sessions. Supplementary notes on these sessions were issued, copies of which are highlighted under relevant sections of the report.

- Different types of migration
- Risks and difficulties faced by migrants
- Human trafficking
- The ways migrants can be exploited or defrauded
- Best practice for migration and good examples

¹ Melanesians in Fiji by Aduru Kuva, 1973

² Safe Migration Project Proposal, 2012

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The activity managed to reach over 400 people through information sessions, market days and public lectures. Participants gained the knowledge and tools to migrate safely and were encouraged to share their learning with their peer groups.

1.1 Fiji - Brief Background

Fiji became independent in 1970 after nearly a century as a British colony. Democratic rule was interrupted by two military coups in 1987 caused by concern over a government perceived as dominated by the Indian community (descendants of migrant labourers brought to the islands by the British in the 19th century)³. The coups and a 1990 constitution that cemented native Melanesian control of Fiji led to heavy Indian emigration; the population loss resulted in economic difficulties, but ensured that Melanesians became the majority. A new constitution enacted in 1997 was more equitable. Free and peaceful elections in 1999 resulted in a government led by an Indo-Fijian, but a civilian-led coup in May 2000 ushered in a prolonged period of political turmoil. Parliamentary elections held in August 2001 provided Fiji with a democratically elected government led by Prime Minister Laisenia Qarase. Re-elected in May 2006, Qarase was ousted in a December 2006 military coup led by Commodore Voreqe Bainimarama who became prime minister and promised to hold elections in 2014.

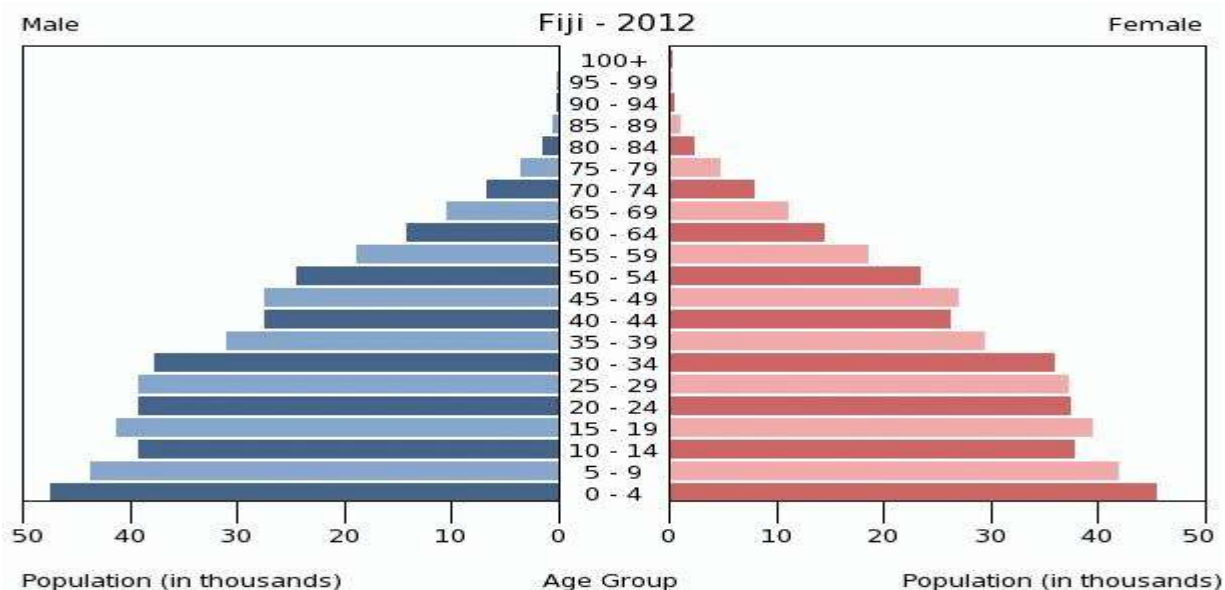
Table 1 – Current Age Structure in Fiji

	Percentage	Male	Female	Total
0-14 years	28.6%	130,115	124,565	254,680
15-24 years	17.6%	80,163	76,528	156,691
25-54 years	41%	186,736	178,073	364,809
55-64 years	7.4%	32,943	32,647	65,590
65 years & over	5.4%	22,182	26,105	48287
Total	100%	452,139	437,918	890,057

CIA World Fact Book - Feb 21, 2013

³CIA World Fact Book- Unless otherwise noted, information in this page is accurate as of Feb 21, 2013

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Population Graph⁴

Both the table and graph above indicate a strong concentration of young people between the ages of fourteen (14) to twenty-four (24). This category is the most vulnerable to many forms of exploitation ranging from child labour, commercial sex and human trafficking. These have strong links to unsafe migration practices.

In the recent annual general meeting of the Fiji Teachers Union, teachers heard that only 1,400 of the 26,000 young people registered with the National Employment Centre have full-time jobs. 12,000 of the 26,000 were between the ages of 15-24 and of these; about 6,000 were women indicating that a huge problem faced by Fiji's youths is a high level of unemployment. Details are depicted in figure 5.⁵

2.0 METHODOLOGY

The methodology in putting together this report comprised a combination of direct contact with respondents during information sessions, the distribution of printed materials and administration of a questionnaire, and four public lectures. The information sessions allowed the opportunity for participants to gain face-to-face information and advice on safe migration practices. These sessions were carried out in three major divisions in Fiji, namely: Suva (Central Division), Labasa (Northern Division) and Lautoka in the Western Division.

The pictures below were taken at some of the information sessions carried out in these three regions of Fiji.

⁴ ibid

⁵Fiji Times May 02, 2013 – Youth look for Work

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Students filling in questionnaires at USP Suva Campus



Information session in Labasa-Northern Division



Students on Suva Campus 2nd Information Session



Information session in Lautoka-Western Division

2.1 The Survey - Challenge

A major challenge to this study was the short period of time available to make field visits and conduct interviews. However, a good number of responses was collected, 125 in total. All interviews were conducted in tertiary institutions and one in a village to cover unskilled youths.

Secondary sources of information comprising modules, reports and articles published by governments and international organizations such as the International Organization for Migration (IOM) and the European Union (EU), enriched this study. Further data and information was sighted from similar global researches.

2.2 Desk Review

Youth migrants are considered a highly vulnerable group. This vulnerability involves the lack of protection by laws, poor working conditions and lack of access to vital services such as health care. To understand the best strategies and interventions to make migration safe for young people, we need to know more about youth vulnerabilities and the way they cope with them. Vulnerability and coping mechanisms of specific migrant workers were investigated in the context of three Asian countries (Burma, Cambodia and Philippines). Results showed that

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recruitment processes and agencies play an important role. Furthermore, the long working hours, lack of rest and various forms of abuse and restrictions by employers negatively affected the wellbeing of these migrants. Access to social support by family, fellow country people abroad, religious organisations and others appeared to reduce vulnerability. Results demonstrate the need to address specific causes of vulnerability, and protective factors to wellbeing in policies and programs⁶.

2.3 Different types of Migration

The project boosted young people's knowledge of migration terminologies, during the information sessions. The terms were derived from several migration sources. Over eighty-five per cent of the students experienced their first encounter with these migration-linked vocabularies.⁷

Migration (Human) is the movement of people from one geographical region to another for the purposes of taking up permanent or semi-permanent residence, usually across a political boundary. An example of "semi-permanent residence" would be the seasonal movements of migrant farm labourers. People can choose to move ("voluntary migration") or be forced to move ("involuntary migration").⁸

2.3.1 Types of Migration

Internal Migration: Moving to a new home within a state, country, or continent.

External Migration: Moving to a new home in a different state, country, or continent.

Emigration: Leaving one country to move to another (e.g., Pilgrims emigrated *from* England).

Immigration: Moving into a new country (e.g., the Pilgrims immigrated *to* America).

Population Transfer: When a government forces a large group of people out of a region, usually based on ethnicity or religion. This action is also known as **involuntary** or **forced migration**.

Impelled Migration (also called "reluctant" or "imposed" migration): Individuals are not forced out of their country, but leave because of unfavourable situations such as warfare, political problems, or religious persecution.

⁶Toward Safe Migration: Exploring Vulnerability & Coping Strategies of Migrant Workers L. van der Ham (MSc), 06

⁷Migration Dialogue <http://migration.ucdavis.edu/index.php>

⁸ ibid

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Step Migration: A series of shorter, less extreme migrations from a person's place of origin to final destination—such as moving from a farm, to a village, to a town, and finally to a city. One of the most significant step migration patterns has been **rural to urban migration**—the movement of people from the countryside to cities in search of opportunities.

Chain Migration: A series of migrations within a family or a defined group of people. Chain migration often begins with one family member who sends money to bring other family members to the new location. Chain migration results in **migration fields**—the clustering of people from a specific region into certain neighbourhoods or small towns.

Return Migration: The voluntary movements of immigrants back to their place of origin. This is also known as **circular migration**.

Seasonal Migration: The process of moving for a period of time in response to labour or climate conditions (e.g., farm workers following crop harvests or working in cities off-season; "snow-birds" moving to the southern and south-western United States during winter).

2.3.2 People Who Migrate

Emigrant: A person who is leaving a country to reside in another.

Immigrant: A person who is entering a country from another to take up new residence.

Refugee: A person who is residing outside the country of his or her origin due to fear of persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion.

Internally Displaced Person (IDP): A person who is forced to leave his or her home region because of unfavourable conditions (political, social, environmental, etc.) but does not cross any boundaries.

Migration Stream: A group migration from a particular country, region, or city to a certain destination.

2.3.3 Why Do People Migrate?

People move for a variety of reasons. They consider the advantages and disadvantages of staying versus moving, as well as factors such as distance, travel costs, travel time, modes of transportation, terrain, and cultural barriers.

Push Factors: Reasons for emigrating (leaving a place) because of a difficulty (such as a food shortage, war, flood, etc.). Social, economic, political and environmental problems are root causes for migration. Regarding the labour market, migration is a symptom of imbalances in sending countries, such as high rates of unemployment and underemployment among low-

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skilled workers, low wages for skilled workers, and unmet demand for education and acquisition of skills. International migration can help reduce poverty and raise economic growth rates in the migrants' countries of origin. First, an increase of remittances is generally associated with a reduction of overall poverty. Second, circular migration plays an important role. Economic analyses show that an increase in circular migration between developing and developed countries could produce gains of USD 150 billion per year, which would equally benefit developed and developing countries.⁹

Pull Factors: Reasons for immigrating (moving into a place) because of something desirable (such as a nicer climate, better food supply, freedom, etc.). Several types of push and pull factors may influence people in their movements (sometimes at the same time), including:

1. **Environmental** (e.g., climate, natural disasters),
2. **Political** (e.g., war)
3. **Economic** (e.g., work)
4. **Cultural** (e.g., religious freedom, education)

Place Utility: The desirability of a place based on its social, economic, or environmental situation, often used to compare the value of living in different locations. An individual's idea of place utility may or may not reflect the actual conditions of that location.

Intervening Opportunities: Opportunities nearby are usually considered more attractive than equal or slightly better opportunities farther away, so migrants tend to settle in a location closer to their point of origin if other factors are equal.

Distance Decay: As distance from a given location increases, understanding of that location decreases. People are more likely to settle in a (closer) place about which they have more knowledge than in a (farther) place about which they know and understand little.

2.3.4 Impacts of Migration

Human migration affects population patterns and characteristics, social and cultural patterns and processes, economies, and physical environments. As people move, their cultural traits and ideas **diffuse** along with them, creating and modifying **cultural landscapes**.

Diffusion: The process through which certain characteristics (e.g., cultural traits, ideas, disease) spread over space and through time.

Relocation Diffusion: Ideas, cultural traits, etc., that move with people from one place to another and do not remain in the point of origin.

Expansion Diffusion: Ideas, cultural traits, etc., that move with people from one place to another but are not lost at the point of origin, such as language.

⁹International Dialogue on Migration No. 10 Expert Seminar: Migration and the Environment

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Cultural markers: Structures or artefacts (e.g., buildings, spiritual places, architectural styles, signs, etc.), that reflect the cultures and histories of those who constructed or occupy them.

2.3.5 Measuring Migration

In-migration: people moving into one place from another place within a nation (internal).

Out-migration: people moving out of one place to another place within a nation (internal).

Gross migration: total number of in-migrants and out-migrants (internal migration).

Net internal migration: the difference between in-migration and out-migration.

Movers from abroad: people coming into a nation from another country or part of the world.

Net migration: the difference between net internal migration and movers from abroad.

2.4 Risks and Difficulties faced by Migrants

In a developing country like Fiji, decent jobs are not being created fast enough to absorb the growing numbers of people joining the labour force every year. Threats to security, natural calamities, political, social and economic instability, privatization, reforms and downsizing of state enterprises, currency devaluations and related factors force families to make hard choices that may mean sending family members to work abroad.¹⁰

When sent abroad, migrant workers can face challenges like dangerous working conditions, exploitative employers, assault, and coerced or slave labour. The United Nations among other organizations took steps to define and defend the rights of migrant workers. Such workers can be found in domestic settings, sweatshops, manufacturing facilities, and agricultural environments, performing a variety of labour. This often includes unskilled work. Workers may be unpaid or poorly paid, and can have identity documents confiscated by supervisors. Wage-theft employers promise to pay wages but do not honour their agreement.¹¹

Migrant workers can be lured under false pretences e.g., a worker may be promised a job at a hospital and then sent to a private home as a cleaner. They are likely to encounter hazardous working conditions because migrant workers tend to be employed in dangerous industries and employers may not comply with health and safety laws. Standard benefits such as limits on working hours and scheduled breaks may not be granted, and people may labour for twelve hours or more without a break. The provision of sub-standard housing with related health and safety issues make housing unpleasant and unsafe. Imprisoning workers with undocumented

¹⁰ Figure 1

¹¹ Good Migration Seminar Report Lancaster Town Hall 27th April 2010

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immigration status and intimidating them into silence through physical and sexual assault is common. Employers and supervisors abuse workers and threaten them into silence while health care may be limited, allowing for the spread of disease in addition to severe complications¹².

2.5 Human Trafficking

The recruitment, transportation, transfer, harbouring or receipt of persons, by the threat or use of abduction, fraud, deception, coercion, or the abuse of power or by the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation the procurement of the illegal entry into or illegal residence of a person in a State Party of which the person is not a national or a permanent resident in order to obtain, directly or indirectly, a financial or other material benefit.¹³

2.5.1 Forms of Trafficking

The forms of trafficking widely recorded are sexual exploitation, prostitution and pornography including forced labour in the agriculture sector, sweatshops in the manufacturing sector, as well as domestic servitude and fishing.¹⁴ Other notable forms of trafficking are forced marriage and illegal adoption, the concept of child soldiers and organ trafficking.¹⁵

2.5.2 Causes of Trafficking

On the supply side of the equation, factors that cause trafficking are the lack of economic opportunities, gender discrimination particularly in access to employment and education, tolerance of gender-based violence, conflict and displacement by natural and manmade causes, breakdown in law and order and cultural practices.

Demand-side factors are the growth of the global commercial sex industry, restrictive immigration policies that prevent legal admissions for legitimate work purposes, unregulated labour markets that enable exploitive practices to flourish, military and peacekeeping operations, gender discrimination and tolerance of violence, facilitators of trafficking, organized criminal operations, transnational, domestic, official corruption, technology (and its misuse), transportation, communication and transnationalism.

2.6 Ways Migrants can be Exploited or Defrauded

A common method is exploitation by unscrupulous recruiters overstating the level of assistance they are able to offer jobseekers. Operators usually set up online or suburban shopping centres, offer for a considerable fee, to include the jobseeker's resume on an exclusive recruitment

¹² ibid

¹³ (Art. 3 of the Palermo Protocol)

¹⁴ Figure 4: Is this trafficking?

¹⁵ Girl Sale, April 26, 2013

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database that they claim is used by resources companies. These databases are often fictitious with hardly any evidence to suggest that these companies have links to resources, companies or their recruiters.¹⁶

2.6.1 Case One – Foreign Example

There is the case against a David Macartney, who was charged with four counts of obtaining money by deception and two counts of attempting to dishonestly obtain money after running a mining recruitment scam in Queensland. The charges allege he defrauded six people out of more than \$32,000 after falsely recruiting them to work for a major Western Australian mining company.¹⁷

2.6.2 Case Two – Foreign Example

A fake religious group defrauded \$4 million from 1,400 immigrants. A husband and wife team operated a \$4 million fraud that callously exploited the dreams of more than 1,400 illegal immigrants, was sentenced to lengthy prison terms. Alberto Alers, 60, and Ana Zoila Caceres, 61, were the ringleaders of a purported religious organization called Seamens Harvest Ministries that operated out of offices in a Plantation strip mall and the Swap Shop flea market. Both pleaded guilty earlier this year to their roles in fraud¹⁸.

2.6.3 Local Cases - Examples

Fraud tactics continue to be on the rise in Fiji and many examples of this dubious practice appear in the daily newspapers. Fake business operators set up migration advisory services, make quick money, close operations and disappear usually without trace. Local cases of human trafficking have also experienced an upward trend recently. A decision by the Human Trafficking unit of the Fiji Police Force to reopen the Naria girls' case displayed a determination by law enforcers to arrest the trend. This is highlighted in Figure1. Other examples of these are reflected in figures 2 to 4 that range from dubious agents and organized illicit sexual activities by a group of local businessmen. The Fiji Times also recorded an incident of foreign fishermen from the Philippines walking off their jobs claiming to have been duped by an international recruiting agent¹⁹.

¹⁶ Dubious Agent Caution, April 06, 2013

¹⁷ Fiji Islands Business March 2011

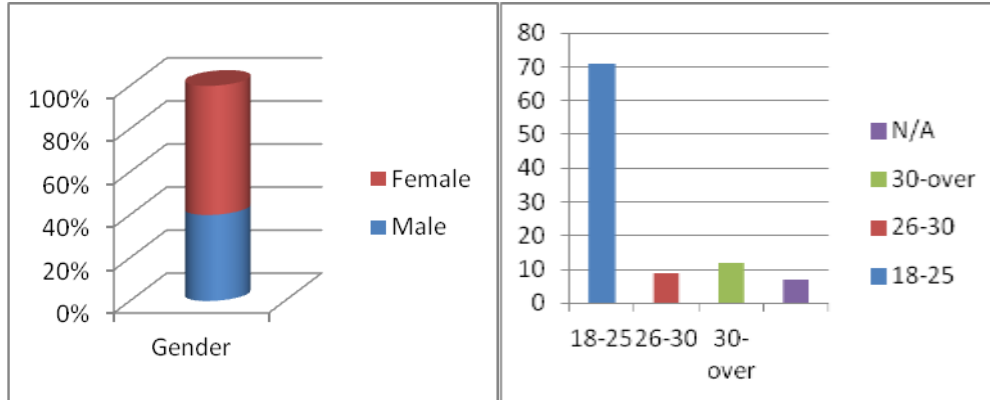
¹⁸ Fiji Islands Business March, 2011

¹⁹ Figures 2 to 4

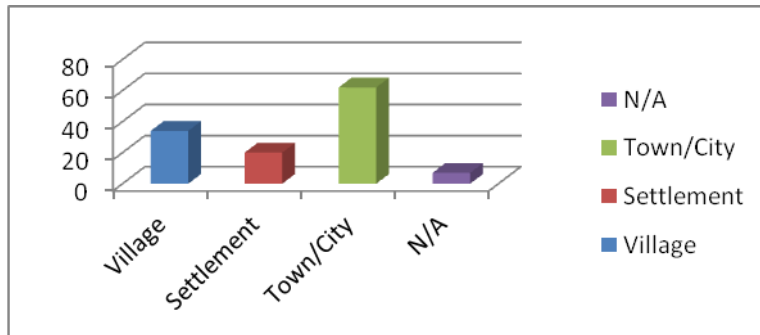
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3.0 RESULTS AND ANALYSIS OF SURVEY

The total number of questionnaires administered was 125. The majority of respondents were female at 60 per cent, with the largest age group ranging from 18 to 25 years ranking at seventy one per cent and predominantly single students.

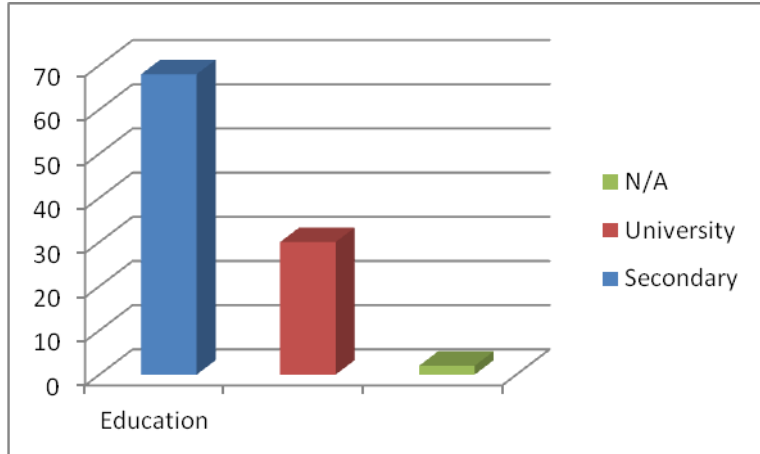


The majority of respondents reside in the two cities of Lautoka and Suva while the rest live in Labasa, the main urban centre in the rural Northern Division. Thirty-four per cent reside in villages and a small two per cent live in settlements.

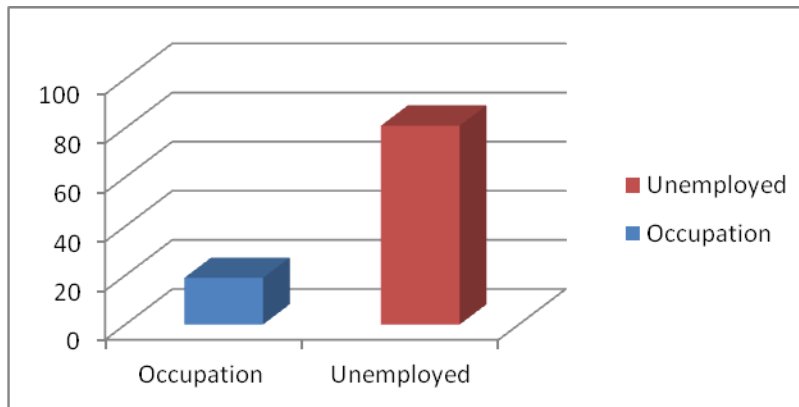


All the young people who were interviewed are currently attending university, which implies they all speak, read and understand English.

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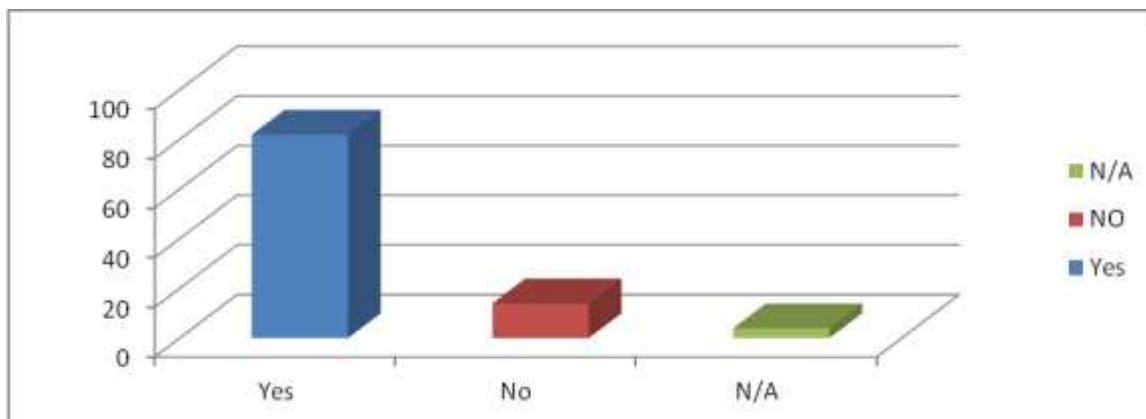


Eighty-one per cent are unemployed which puts them in a high risk category and vulnerable to the manipulation and fraudulent activities of unscrupulous recruiting agencies.



3.1 Section III: Plans for the Future

Eighty two per cent would like to travel outside of Fiji while fourteen per cent did not want to do so and the remaining four per cent were uncertain. New Zealand, Australia and USA ranked among their top choices, as good travel destinations



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Out of the above eighty two per cent, sixty one per cent stated they did not know how they would survive in the country of their dreams. Sixty per cent indicated a strong desire to migrate and not only to travel. The majority of the respondents stated that they wanted to help their families, improve their education, build or buy a house and prepare for marriage.

3.2 Returnee Migrants

Ninety-three respondents were aware of a family member(s) who has migrated and only sixty-three per cent maintain regular contact while twenty-four per cent seldom make contact and thirteen per cent had hardly any contact. Forty-five per cent knew of returnee migrants and fifty-five per cent did not.

Two returnees interviewed were female. One was a nurse who worked in Palau for sixteen years and the other a school teacher who was employed for twelve years in Nauru. Neither returnee was accompanied by her family. They received job related information through their respective employers. Both expressed delight over their experiences relating to pre-departure and post-employment dealings. Their salaries were well above the salaries offered locally in Fiji. Working conditions included accommodation, return airfares, annual sick leave, maternity leave, tax free salary and utilities borne by employer. Each returnee contributed substantially to her family via regular remittances and building good quality houses out of the savings they each made.

Ninety per cent of respondents have heard of human trafficking while ten per cent have never heard anything about human trafficking. Out of these, eighty-eight per cent have never been contacted by any recruiting agent. This scenario reflects the high risk of young people not being able to detect the dangers associated with fraudulent activities relating to labour recruitment.

The survey attempted to gauge the long-term aims of the respondents. Eleven per cent of them planned to complete their education, thirty-five per cent wished to have a successful career while the remaining fifty-four per cent were undecided. This element of uncertainty potentially exposes young people to the possibility of numerous unpleasant migration experiences should they wish to venture into seeking overseas jobs.

4.0 BEST PRACTICE FOR MIGRATION AND GOOD STEPS

4.1 Government and Individual Initiatives

This section discusses best practices in two categories. Category one analyses the efforts of government in ensuring that a transparent, effective and efficient system is in place to address exploitation and violation of human rights and other rights associated with migration.

Category two discusses individual approaches that are important for individuals to follow, to ensure they avoid unwanted risks associated with unsafe migration practices. Three key

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questions form the thrust of this category. These are:

- Are You Planning to Migrate?
- Do You Want to Avoid Unwanted Risks?
- Choose Well and Be Responsible for Your Destiny

4.2 Fiji Government Decree - Foreign Employment Services (Summary of Decree Part 11)

The Fiji Government has developed a comprehensive decree to combat the risks and vulnerabilities associated with foreign employment abuses. The government has established a Foreign Employment Service with appropriate powers and roles defined by the decree. These measures are intended to add value to the process of preparing would-be migrants before their departure.

The purpose of the decree was to provide quality, foreign employment services which involve orientation training for the unskilled, semi-skilled or skilled unemployed persons and retirees, to facilitate their recruitment into the foreign employment market. The role of the Foreign Employment Service is to liaise closely with the Ministry of Foreign Affairs and abide by the relevant international treaties and protocols binding upon the Fiji government.²⁰

4.2.1 Life skills training

The Foreign Employment Service provides quality life skills training courses compatible with the overseas employment needs of unemployed persons and retirees, and recognised under the national qualification framework. Life skills training courses provided must be conducted to promote the holistic development of unemployed persons and retirees, therefore enabling them to become disciplined and productive foreign employment workers.

4.2.2 Employment skills training

The Foreign Employment Service provides quality employment skills training courses compatible with the foreign employment needs of unemployed persons and retirees, and recognised under the national qualification framework.

4.2.3 Pre-departure orientation training

The Foreign Employment Service arranges and implements quality, pre-departure training to effectively orientate persons successfully recruited to commence foreign employment contracts. The Foreign Employment Service also provides advice and raises awareness among the general public, on the development role of the service, including the legal requirements and minimum conditions of employment associated with foreign employment contracts.

²⁰ Decree 54 2009 Establishment of the National Employment Centre

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The Foreign Employment Service liaises closely with employment agencies, local employers' organisations, overseas employers, the Ministry of Foreign Affairs and the Fiji islands overseas embassies to provide effective management and supervision of all foreign employment contracts.

4.2.4 Attestation of foreign contracts

Any proposed 'foreign contract of service' must first be submitted by the local employment agency or overseas employer, to the Permanent Secretary for Labour for attestation, before it can be signed by any local citizen whom the contract deems to hire for the purposes of foreign service.

Enlisting, registration, recruitment or deployment of any person for employment under any 'foreign contract of service' by an employment agency must comply with the relevant requirements of the Employment Relations Promulgation 2007 and the Employment Relations (Employment Agencies) Regulations 2008.

To facilitate the process under subsection (2), the Foreign Employment Service is required to provide quality, job placement services, to meet the needs of both overseas employers and prospective local workers.

The operating systems and procedures of the Foreign Employment Service must comply with and be certified to the ISO 9001 quality management standards.

(Subject to subsection (1), the Foreign Employment Service must design, develop and implement a quality, competency-based skills training package for its entire staff to ensure that they are competent to manage the ISO certified systems and processes to the required customer service quality standards.

The governance system of the Foreign Employment Service must comply with the Fiji Business Excellence criteria and the social responsibility guidelines specified under the ISO 26000 standards.

The Foreign Employment Service must design, develop and implement a value-based skills training package for its entire staff to ensure that they internalise the Fiji Business Excellence framework and social responsibility values and exhibit social responsibility behaviours in accordance with the spirit of the Business Excellence framework and ISO 26000 standards.

4.3 Individual initiatives - Planning to Move Abroad

In all information sessions conducted in the three regions, young people were repeatedly asked the following questions to gauge their readiness to migrate.²¹

²¹Are You Ready to Move Abroad for Good? Author: Tracy Whitelaw - Updated: 7 Jan 2013

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- Are You Planning to Migrate?
- Do You Want to Avoid Unwanted Risks?
- Choose Well and Be Responsible for Your Destiny

Moving abroad can be an extremely stressful and emotional time. It's a process that involves removing yourself from all points of familiarity in your life and starting afresh. So, you need to be extremely sure that it's what you truly want. Before packing your bags and heading off, sit down and ask yourself some extremely important questions to see whether you're really ready for your big move abroad²².

Research Your Location - Question 1 – Have You Done Enough Research on Your Location?

It seems like such an obvious question, but it's extremely important to thoroughly research your new home area before moving. If you can, plan a trip (visa and money) and ensure that your location suits all your living needs. Speak to locals, research online and tour the area if possible. When you move there, you may be there for some time, so make sure to first determine whether the location suits you.

Financial Preparedness? - Question 2 – Are You Financially Prepared for your Move?

One of the most fundamental things you can do when moving abroad is to ensure that you have arranged your finances before you go. This involves tying up loose ends before leaving and also setting up bank accounts in your new country. You should always make sure you have enough money to last you at least 6 months when you move. This means that even if you don't have a job, you will be able to look after yourself without a source of regular income. Also, take into account the costs involved in moving –such as, shipping goods, new furniture etc. across to your new location.

Health and Legal Issues - Question 3 – Are Your Health and Legal Issues Organised?

It's advisable to find out what level of health cover you'll be able to receive when you move abroad. Many countries do not have a system similar to the National Health System so you'll have to find out whether you need private health insurance or if there are government-funded health initiatives for new residents. You may think you'll never need to use these, but it's good to know you can should the need arise.

Keeping in Touch with Family - Question 4 – Have you Arranged how to Keep in Touch with Family?

Keeping in touch with family is now much easier, no matter where you are in the world. If you're particularly close to certain family members, however, you may want to arrange before leaving how you'll stay in touch. Most people set up email and/or Skype addresses etc. beforehand so

²²Settled to Move – The Decision to Migrate and its Associated Risks - 2006-07

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they can easily pass these out to relatives. Not only will it put their mind at ease, but you'll feel close to them no matter the distance between you.

Residency Rights - Question 5 – Do You Know Your Residency Rights?

It's easy to get caught up in the excitement of moving, but make sure that you're fully aware of your residency rights and exactly what you must do to stay on the right side of the law. If your visa is temporary, permanent or of any other type, you'll need to know what you're permitted to do within the particular class of visa granted to you, when you arrive in your new country.

New Social Circle - Question 6 – Are You Ready to Start a New Social Circle?

It seems like a silly question, but many people don't realise the difficulties involved in starting again with an entirely new social circle. Many people leave behind friends they've known for years and are comfortable with and it can be difficult to have to put yourself out there again and find new ones. As one way of getting around these difficulties, look at what your interests are and perhaps consider joining some local groups to get a head start. You'll make friends eventually, most likely through work, so don't worry too much, just be prepared to invest some effort into it.

Staying Focused - Question 7 – Can You Ensure You'll Stay Focused on what is Important?

If you're moving abroad with a family, it's easy to let the stress of the change affect your relationships. Try to remember that everyone is in the same situation and by staying strong and working together; you'll all manage to get through the experience in one piece. Relocation is difficult for a number of reasons, but staying open to each other and talking about any problems you're having means you'll stay focused on what is important and why you made the move in the first place.

Accepting Differences - Question 8 – Are You Capable of Accepting Differences?

A common issue people have when moving abroad is that they find it difficult to accept differences. They will constantly compare their new location to their 'home' and will seek out differences to try and highlight how inferior (superior) their new place is. Get used to the idea that you will need to accept the difference and should try to embrace it. You might not be able to get the same TV channels, the same drinks or the same food, but that is part of moving on and leaving certain things behind. Be flexible and enjoy the experience of discovering new things, you may just find that you like them.

If a potential migrant is able to answer 'yes' to all or most of the questions above, she or he is probably ready to make his or her move abroad. It would be advisable that she or he is prepared; stays focused and always keep in mind why she or he made the move in the first place.

5.0 CONCLUSION

There is no single best practice in migration appropriate to all origin and destination countries. Much depends on the particular context. It is not so much that specific practices can be lifted from one country to another but more that the lessons learned from the experience of a single country are learned not only by that country, but by others as well. Moreover, there is a need to enhance our understanding of what works under what conditions. This is what the young people gained by turning up to the information sessions and public lectures.

A common trend noticed from the literature review and results of the questionnaire analysis relating to this project was that migration as an alternative source to securing employment and access to opportunities, witnessed a steady attraction amidst negative images and hostile experiences related by both migrating and returnee migrants. Hence, an effective way to add value to the process and prepare people to avoid unfriendly experiences is for sending and receiving countries to adopt friendly migration policies.

The success of any migration program depends on the sending and host countries' commitment to applying and strictly enforcing laws to all parties – the migrants, recruitment agents, employers etc. The Fiji government established the Foreign Employers Services Decree to protect its citizens and ensure the integrity of these processes. Effective administration of a labour migration program requires sending and receiving countries to have the capacity to manage such a program, as well as have committed, properly remunerated staff and access to and training in, the hardware and software of modern migration management. These elements are necessary since the governance of migration systems is critical to its success.

A majority of young people consulted through this project stated that in the absence of liveable wages, access to credit, insurance, social welfare benefits, employment opportunities and conducive growth environments, the value of migration has proven to be greater than its hardship or potential for exploitation. In other words, for most people in desperate situations, as the factors above have illustrated, migration is worth the risk. This calls for the development of comprehensive policies, laws and guidelines to effectively manage risks that are associated with both normal and unsafe migration practices.

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