



TERMS OF REFERENCE
REVIEW OF THE HUMAN TRAFFICKING LAWS IN FIJI

I, Siromi Turaga, Acting Attorney-General of Fiji, by virtue of the power conferred on me by section 5(2)(a) of the *Fiji Law Reform Commission Act 1979* (“Act”), refer as follows:

1. Review of the Human Trafficking Laws in Fiji

- 1.1 The Fiji Law Reform Commission (“Commission”) is tasked with undertaking a comprehensive review of the human trafficking laws in Fiji with a view to develop a modernized, future-oriented legal framework that addresses all forms of human trafficking.
- 1.2 This review arises from Fiji’s continued placement on the Tier 2 Watch List of the U.S. State Department’s annual Trafficking in Persons (TIP) Report, highlighting the need for a coordinated and effective national response to human trafficking. The review should assess current gaps, legal and institutional capacities, and recommend reforms to enhance prevention, protection, and prosecution mechanisms.

2. Objective and Deliverables

- 2.1 The key objectives of this Review is to examine and revise the existing legal framework for human trafficking in Fiji, and provide recommendations for reforms by:
- i. conducting a gap analysis of laws related to all forms of human trafficking in Fiji such as the *Crimes Act 2009*, *Immigration Act 2003*, *Cybercrime Act 2021* and other related legislation against international standards;
 - ii. reviewing the adequacy of existing legal definitions, penalties, and procedural safeguards to ensure recommended amendment provisions are compliant with international standards;
 - iii. considering relevant international conventions, including but not limited to: the United Nations Convention against Transnational Organized Crime (and its related Supplementary Protocols), Convention on the Rights of the Child, ILO Minimum Age Convention, ILO Abolition of Forced Labour Convention, International Convention for the Protection of All Persons from Enforced Disappearance, Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR) and related conventions;
 - iv. examining how socio-economic factors, including poverty, migration, gender inequality, and lack of awareness, contribute towards the vulnerability of being human trafficked;

- v. assessing human trafficking from human rights, health, law enforcement, migration, and social welfare perspectives to ensure a holistic approach;
- vi. conducting public consultations that include relevant stakeholders such as government agencies, civil society, legal professionals, academia, and international organizations to ensure the review is informed by experience and evidence;
- vii. analysing available local data on human trafficking cases, victims, and enforcement outcomes to support evidence-based recommendations for Fiji's context;
- viii. assessing the adequacy of current inter-agency coordination and institutional frameworks, and proposing mechanisms and/or required resources to enhance and improve a coordinated national response;
- ix. recommending monitoring and evaluation frameworks to track the effectiveness of reforms and ensure sustained compliance with national and international obligations; and
- x. considering any other relevant issues, factors, laws and consequential amendments.

3. Timeline

A Final Report with recommendations and/or draft provisions or a draft Bill, with a draft Cabinet Paper is to be presented to the Acting Attorney-General by 30th September, 2026.

4. Review Outcomes

The proposed recommendations within the Final Report and/or draft provisions or a draft Bill, along with a draft Cabinet Paper is to be submitted to the Acting Attorney-General.

Issued this 20th day of February, 2026.



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 Mr. Siromi Turaga
ACTING ATTORNEY- GENERAL