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## Statement of United Nations Special Rapporteur David R. Boyd on the conclusion of his mission to Fiji

**17 December 2018**

### Introduction

Today, I conclude my mission to Fiji, which began on 7 December. Fiji is an extraordinarily beautiful country, and I was delighted by the warmth, generosity, and strong environmental values of everyone whom I encountered.

I was appointed as the United Nations Special Rapporteur on human rights and the environment by the UN Human Rights Council beginning August 1, 2018. The mandate was established in 2012, and my predecessor, Professor John H. Knox, did an excellent job of clarifying the relationship between human rights and the environment.

As the Special Rapporteur on human rights and the environment, my role is to promote the implementation of human rights obligations relating to the right to a safe, clean, healthy and sustainable environment. One of my tasks is to carry out country visits, learn about issues relating to human rights and the environment, and prepare a public report to the Human Rights Council that describes good practices and challenges in the protection of human rights and the environment. Fiji is my first UN country mission.

During my visit, I met with a wide range of people, including the President, Attorney General, other government ministers and officials, members of the official opposition, the Chief Justice, other judges, agencies of the United Nations, the director of the National Human Rights and Anti-Discrimination Commission, iTaukei landowners, civil society organizations, and concerned citizens. I also had a meeting with a wonderful group of Fijian children (kindly organized by UNICEF), and traveled to the village of Vunidogoloa, the first community in Fiji, and one of the first in the world, that was relocated because of climate change. I would like to thank the Government of Fiji for its invitation, and am particularly grateful to Ambassador Nazhat Shameem Khan, Second Secretary Robyn-Ann Elizabeth Mani, and the UN Resident Coordinator's office in Suva for their invaluable assistance in arranging this visit.

To its credit, Fiji has now ratified all of the major global human rights treaties, including this year's ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Environmental protection is essential to fulfilling many of the rights recognized in these agreements, including the rights to life, health, food, water, culture, and development. Of critical importance is protecting the rights of those who may be most vulnerable to environmental harms and climate change, including women and children. Fiji previously ratified treaties such as the Convention on the Elimination of Discrimination Against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities that call upon the Government to ensure protection for these vulnerable populations. Fiji's admirable 2013 Constitution recognizes the right to a clean and healthy environment, a right that requires clean air, clean water, adequate sanitation, healthy and sustainable food, a safe climate, and healthy biodiversity

and ecosystems.

## **Climate Change**

One of the world's most urgent challenges is climate change, which is violating human rights across the planet today and threatening to do so on a vast scale in the years ahead. Fiji, along with other small island states, is acutely vulnerable to the adverse impacts of climate change, from rising sea levels to the increasing intensity of extreme weather events such as cyclones. Fiji has been one of the world's most powerful voices in calling for urgent action to address the terrible toll that climate change is inflicting on human health, human rights, and well-being.

During my visit, I heard about the extensive damage inflicted on Fiji by flooding, droughts, rising sea levels, saltwater intrusion, and Tropical Cyclone Winston. These climate change-related impacts are wreaking havoc on Fijian farms, forests, fisheries, infrastructure, and communities, and in doing so are violating the rights to life, health, food, water, housing, and a clean and healthy environment.

Winston hit Fiji hard in February 2016. It was the strongest storm to ever reach landfall in the Southern Hemisphere, with wind gusts exceeding 300 kilometers per hour. The cyclone caused 44 deaths, destroyed and damaged many homes, and cost approximately \$1.4 billion, or one-third of Fiji's annual GDP. Devastating storms like Winston are expected to increase in frequency and severity because of climate change.

As part of my visit, I traveled to the village of Vunidogoloa, on the island of Vanua Levu. Vunidogoloa was relocated inland in 2014 because seawater was inundating homes and crops in their idyllic ocean-side location. A village leader showed me where his childhood home was located, pointing out concrete pads and wooden posts that were submerged under a foot of water. I saw the remnants of a stone seawall built in 1978 to protect the village, that was largely destroyed by the relentlessly encroaching ocean. The leader's voice cracked as he said "We thought we would live here forever." The graves of his peoples' ancestors were left behind.

Although the relocation process was deeply painful for Vunidogoloa residents, the new village site offers improved housing conditions, better sanitation, solar-powered electricity for each home (although currently limited to a few lights), and improved access to health care and education. The new site was selected by the community and subjected to an environmental impact assessment. Several other villages have already been moved, several are in progress, and there are at least forty additional communities awaiting relocation. Fiji has developed Planned Relocation Guidelines to ensure that the rights and dignity of persons involved are respected. Relocation is appropriately viewed as a last resort, and is only contemplated at the request of an affected village and after an extended collaborative process.

During a separate meeting with fifteen Fijian schoolchildren in Suva, I heard first-hand accounts of their concerns about the environment they are inheriting and how important a healthy planet is to them. Climate change dominated the conversation. One young girl spoke about her family's custom of going to a beach near her village for picnics, but said "Now it's scary sometimes when the waves come." This child's anxiety highlights the negative impact of climate change on mental health. The children spoke with one voice in calling for adults and governments to work hand in hand to stop causing climate change, in order to safeguard their future.

Fiji is not only exercising leadership through international advocacy on climate change but is also implementing mitigation and adaptation actions domestically pursuant to its National Climate Change Strategy (2012), National Adaptation Plan Framework (2017), and NDC Implementation Roadmap (2017), among others. Examples of actions taken include the Environment and Climate Adaptation Levy, investments in and tax breaks for new sources of renewable energy, a solar homes program, a Green Bond that raised \$100 million FJD, incentives for the purchase of fuel efficient vehicles, and improved fuel standards for diesel and gasoline.

The Environment and Climate Adaptation Levy (ECAL) applies to a variety of goods and services including plastic bags, hotels, restaurants, bars, large engines, very high-income earners (10 percent on income above \$270,000FJD/year), and yacht docking fees. Last year the ECAL generated more than \$100 million FJD. These funds should be dedicated exclusively to climate mitigation and adaptation projects, but have sometimes been spent on other items, such as upgrading rural roads. The proportion of electricity generated from renewables in Fiji has grown quickly from 56 percent in 2011 to 67 percent in 2015, with the goal of 100 percent by 2030. Fuel-efficient hybrid vehicles are

ubiquitous on the roads of Fiji, largely due to reduced import duties. A Barefoot College is planned to train women in the installation and maintenance of solar electricity systems, and to enhance their entrepreneurial skills.

To protect the human rights of the people of Fiji requires action by all States, but especially those who historically have been and/or are currently major contributors to climate change. States need to rapidly reduce greenhouse gas emissions, deforestation and livestock production in order to avoid catastrophic climate change. Wealthy countries must fulfill their commitment to provide at least \$100 billion annually to assist vulnerable States such as Fiji in coping with the impacts of a problem that they did little to create. For example, relocating more than forty communities is a very expensive process.

My final observation regarding climate change is to commend Fiji for its generous indication that it will accept climate refugees from Kiribati and other South Pacific island nations with open arms. Indeed, the representative of the Vunidogoloa village also indicated that his community would be willing to share their land with other people needing to be relocated. If only the rest of the world would adopt such a progressive and generous approach!

### **Urbanization, Water, and Sanitation**

Rapid urbanization is leading to increased demand for housing and other services, especially in the Greater Suva area. At present, there is a need for a comprehensive, coordinated and strategic regional and urban development process. Of particular concern from the perspective of environmental risks and human rights are urban sprawl, inadequate sewage collection and treatment infrastructure and poor solid waste management. Urban sprawl threatens native ecosystems that some people depend on for food, water, and livelihoods. Inadequate sanitation facilities and poor waste management threaten human health and ecosystem health by contaminating soil, food, air, fresh water, and the ocean. These problems threaten the rights to health, water, sanitation and a clean and healthy environment, and are most acute in informal settlements.

There are roughly 200 informal settlements in Fiji, home to approximately 15 percent of the population. I visited two informal settlements near Lami, called Vuniivi and Qauia. These are areas that often lie on the outskirts of cities and towns, have not been subject to zoning or subdivision plans, and are particularly vulnerable to climate change. Most residents have migrated from outer islands or rural areas. Housing quality is poor, increasing vulnerability to climate-related natural disasters, and access to municipal services is limited, leading to pollution. In Vuniivi and Qauia, the three major concerns are regular flooding, inadequate sanitation, and lack of waste management services. An encouraging note is that these two settlements are part of an initiative led by UN Habitat to upgrade housing and infrastructure at sixteen informal settlements. As well, the Government is striving to secure 99-year leases so that residents have security of title and can invest in their future without fear of being evicted.

Safe clean water is accessible to more than 90 percent of Fijians and the trends are positive, with the Water Authority of Fiji extending piped service to a growing proportion of households. Polluted water threatens both human and ecosystem health. Some informal settlements and rural areas still lack access to safe water sources. Poor water quality and limited water availability have disproportionate impacts on women because women are primarily responsible for cooking, cleaning, laundry, and bathing young children, as well as caring for family members who are ill.

Article 41 of the Constitution of Fiji, on the rights of children, specifically mentions the right to sanitation. Yet most people in the informal settlements, including children, lack access to adequate sanitation. Fiji also has much work to do in connecting more households to public wastewater collection and treatment systems. A recent report from the Pacific Regional Infrastructure Regional Facility recommended that Fiji: set ambitious delivery targets for sanitation services; integrate human rights, health and environmental outcomes; identify the responsible agencies; and prioritize funding to meet the targets set. In the short term, settlements need guidance about constructing and maintaining their sanitation facilities to minimize health risks.

Fiji is suffering from high rates of typhoid fever, including an outbreak in Naitasiri during my visit with 31 confirmed and 14 suspected cases. An investigation into this problem, published in 2018, revealed that the largest risk factor for typhoid fever in Fiji is inadequate sanitation facilities.<sup>1</sup> Both rural and urban residents are affected, through drinking contaminated surface water and consuming unwashed produce. Poor hygiene practices also increase the risk. In both of the informal settlements that I visited, residents were relying on pit toilets or home-made septic tanks in areas that are regularly

flooded. The Government is making commendable efforts to extend services to informal settlements, but greater emphasis needs to be placed on upgrading sanitation facilities and protecting water sources in order to protect the environment and fulfill its obligations related to the human rights to clean water and adequate sanitation.

While traveling in Fiji I was disturbed to see the country's natural beauty tarnished by surprisingly high levels of littering, dumping, and burning of garbage. This causes pollution of air, water, and soil, and also creates risks to health. People are resorting to these practices because the waste management services offered by governments are inadequate and because enforcement of rules against these practices are not adequately enforced. Many communities do not have garbage pick-up, there is only one properly built landfill, recycling programs are very limited, and composting of food scraps appears to be uncommon. Improving solid waste management services would be a good investment for Fiji because it protects human health and the environment, but also the economically important tourism sector.

### **Fiji's Environmental Laws and Policies**

Fiji has a relatively good set of environmental laws and policies, led by the acknowledgement in the 2013 Constitution, of every person's "right to a clean and healthy environment, including the right to have the natural world protected for the benefit of present and future generations" (Article 40). In recent years Fiji has created a plethora of new environmental policies, including the National Biodiversity Strategy and Action Plan, the Green Growth Framework, the Integrated Coastal Management Framework, National Climate Change Policy, National Solid Waste Management Plan, and National Liquid Waste Management Plan, among others.

However, law reform has not kept pace with policy development. I recommend that Fiji carry out a review of environmental legislation to identify where new or amended legislation and/or regulations are needed to be consistent with the constitutional right to a clean and healthy environment and other related human rights.

Fiji also faces major challenges related to the implementation and enforcement of the commitments made in its environmental laws, regulations and decrees. It is clear that the Ministry of Environment is seriously under-resourced. For example, according to the Department of Environment website, there are only "5-6 staff who handle waste and pollution related matters Fiji-wide" as part of the Waste Management and Pollution Control Unit. Fiji is a regional leader in recognizing the right to a healthy environment, ratifying the full suite of multilateral environmental agreements, and ratifying the human rights treaties mentioned earlier. It needs a strong Ministry of Environment to fulfill those commitments. The Water Authority of Fiji needs additional resources to enable it to fulfill the rights to clean water and adequate sanitation. Other departments and agencies with environmental responsibilities also need more resources.

An issue that was raised repeatedly was problems with Environmental Impact Assessments. Citizens, civil society organizations, and some iTaukei landowners expressed frustration with their inability to gain easy, timely and affordable access to important information, the lack of adequate consultation, constraints on the public's ability to participate in assessment processes, the poor quality of some EIA reports, and the lack of access to remedies. Examples cited include proposed mining projects, the raising of the Wainisavulevu weir in Naitasiri, and industrial developments in the Draunibota Bay area. I heard from landowners about extensive mineral exploration activities affecting their lands without consultation and prior to the completion of any environmental assessment. The prescribed fee of \$5 per page for EIA documents is clearly excessive, and should be waived for individuals and groups seeking to protect the environment and human rights.

The Environmental Management Act 2005 provides for the appointment of an Environmental Tribunal, but there is no publicly available information regarding its members, procedures, or decisions. Rules governing the tribunal were published in 2013, but the absence of other public information makes the process opaque and inaccessible.

I encourage Fiji to consider creating an online environmental registry that would make publicly available extensive information, including laws, regulations, policies, permit applications and decisions, pollution data, and enforcement actions taken. Such a registry would also enhance the public's ability to participate meaningfully in environmental decision-making in Fiji.

### **Pollution**

I spoke to citizens and government officials concerned about pollution entering the ocean from land and ships, damaging fisheries, coral reefs, and other marine ecosystems, as well as the threats posed by derelict, abandoned and sunken ships. From the shore, I saw a number of derelict vessels in the otherwise breathtakingly beautiful Bay of Islands. Divers showed me disturbing videos of extensive underwater pollution in Suva Harbour. Despite rules in place under the Seaport Management Act and Maritime Transport Act, there are limited human and financial resources for enforcing environmental regulations related to pollution from ships. There are currently 23 officers responsible for ship safety and environmental protection, but their safety responsibilities leave little time for environmental monitoring or enforcement. Apparently, Fiji is considering the creation of a separate marine environmental enforcement unit to address these implementation, monitoring, and enforcement challenges. Given the importance of healthy oceans to Fiji's people, culture, and economy, I strongly encourage the Government to make this a priority, along with other initiatives to strengthen the enforcement of environmental laws and regulations.

Like people around the world, Fijians are increasingly concerned about plastic's environmental impacts, on oceans in particular. Scientists in other nations have found plastic micro-particles in the air, drinking water, and seafood. Hundreds of wildlife species, from whales and seabirds to crabs and turtles, are harmed by ingesting plastic or becoming entangled in it. Plastic is particularly problematic in Fiji because of inadequate waste management services, leading to the burning of garbage containing plastic which produces highly carcinogenic dioxins and furans. Plastic refuse has also been implicated in blocking drainage systems, exacerbating the serious problem of flooding. A plastic bag levy of ten cents per bag was introduced by the Government and raised to twenty cents, with the intention of banning plastic bags in 2020. These are good steps, but a more comprehensive approach to the problems posed by plastic is needed. Given the substantial costs involved in recycling plastic items, a particularly promising approach is extended producer responsibility (EPR), which shifts the burden of collection from governments to the industries that produce or import packaging or products. EPR regulations have proven effective in other nations not only for plastic bottles and packaging, but also for a wide range of products and packaging including batteries, newspapers, tires, consumer electronics, white goods and motor vehicles. Fiji should give serious consideration to this policy instrument as a priority in improving waste management and moving towards a circular economy.

### **The Right to Breathe Clean Air**

Air quality in Fiji is generally very good, fulfilling people's right to breathe clean air, with several important exceptions. First, a significant proportion of Fijians (higher in rural areas) continues to cook with solid fuels (biomass) or kerosene. Second, populations living in close proximity to polluting industrial facilities such as cement factories and fossil-fuel power plants suffer disproportionate exposure to air pollution. Third, communities located close to busy roads are disproportionately exposed to vehicle emissions. In each of these cases, the people suffering adverse impacts on their health and human rights are also likely to living in poverty.

Cooking with solid fuels or kerosene generates household air pollution (especially particulate matter), posing a serious threat to human health, causing non-communicable diseases (NCDs) including heart disease, stroke, lung cancer, and respiratory illnesses. Women and children are the most likely to be exposed. While the proportion of Fijian households burning solid fuels declined from 55 percent in 1990 to 44 percent in 200 and 37 percent in 2010, this still results in high exposure for more than one in three people. The draft National Energy Policy identifies a goal of zero percent of Fijians cooking with solid fuels by 2030.

On my visit to the village of Vunidogoloa, I was treated to a delicious traditional Fijian meal, but was concerned by the fact that it was cooked over an open fire. The woman cooking the meal told me that she cooks over an open fire three times daily. This puts her health, and her children's health, at risk, and inadvertently contributes to climate change through black carbon emissions. A made-in-Fiji solution being delivered by the Ministry of Women, Children and Poverty Alleviation is called the Fijian Rocket stove. It is a low-cost stove that reduces household air pollution by burning wood much more efficiently, also taking pressure off forests and the people who gather firewood for cooking (again primarily women).

The main sources of ambient or outdoor air pollution in Fiji are vehicle emissions, industrial emissions, and open burning (of sugar cane fields and household garbage). While rules are in place to address each of these sources, monitoring and enforcement appear to be limited.

It should also be emphasized that black carbon (from diesel vehicles, fossil fuel burning power plants, and open burning) is not only a harmful air pollutant but also a powerful greenhouse gas that contributes to climate change. As such, its reduction should be a priority for Fiji. A full suite of recommendations for protecting the right to breathe clean air will be provided in my thematic report to the Human Rights Council in 2019.

### **Fish, Forests, and Mining**

Fisheries are vital to fulfilling Fijian's right to food, as well as playing an important role in the subsistence and commercial fisheries that contribute to the national economy. However, fisheries face multiple pressures, including climate change, pollution, invasive species, and over-harvesting. Fiji has adopted a number of important measures including a quota on albacore tuna, a ban on shark-finning, and a ban on harvesting sea cucumbers. As well, Fiji has formed partnerships with nations including New Zealand and the United States in an effort to tackle the problem of illegal, unreported and unregulated fishing in its huge Exclusive Economic Zone.

Forests comprise over half of Fiji's land area and are important for environmental, cultural, and economic reasons. Forests are being affected by climate change, illegal logging, clearing for agriculture, and urban expansion. A recent report by the Auditor General concluded that considerable progress has been made in implementing the Fiji Forest Policy Statement 2007. However, the Auditor General also identified some key gaps and urged the Government to expedite passage of the revised Forest Bill to replace the outdated 1992 Act. I was encouraged to witness the replanting and restoration of mangrove trees along the sea wall in Suva, and concur with the Auditor General that the Ministry of Forests should prevent any further removal of mangroves from coastal areas. These trees offer an effective and natural way of protecting the coastline and preventing erosion.

Human rights are also important to the sustainable use of mineral resources, as improper mining can contaminate air, water and soil, affecting human rights to health, food, water, and a healthy environment. The legislation governing mining in Fiji is decades old and needs to be modernized. Numerous draft revisions have been produced but never enacted. A new law could ensure that mining permits are issued only after a full assessment of environmental, social and human rights impacts is completed, all relevant information is provided publicly, and local communities are consulted for their views on the proposed operation. When done correctly, this process should prevent human rights violations and environmental damage while resulting in local and national economic and employment benefits. I also heard concerns about potential deep sea mining, which would add yet another threat to ocean ecosystems.

### **Indigenous People**

The majority of Fiji's population is comprised of Indigenous people, known as the iTaukei. The iTaukei possess title to over 90 percent of Fiji's land area, and also play an important role in coastal and marine management through their customary qoliqoli system. Indigenous people are highly dependent on healthy ecosystems and biodiversity for food, water, and livelihoods. Environmental degradation of their land threatens all of these rights. Fiji is a party to the ILO Convention No. 169 on Indigenous and Tribal Peoples, and deserves credit for introducing a bill on traditional knowledge intended to protect the intellectual and cultural property rights of the iTaukei people. I encourage the Government of Fiji to continue respecting and protecting Indigenous rights in line with the United Nations Declaration on the Rights of Indigenous Peoples, as recommended by the UN Committee on the Elimination of Racial Discrimination.

### **Biological Diversity**

Fiji has rich biological diversity and a high number of endemic species (meaning they are found nowhere else in the world). Many human rights including the rights to life, health, food, water, culture, and a healthy environment are dependent on healthy ecosystems and healthy biodiversity. Article 40 of the Constitution states that every person has "the right to have the natural world protected for the benefit of present and future generations." The loss of biodiversity and diminishing populations of flora and fauna undermine these rights. More than 300 Fijian species are already listed as endangered and many other species are under pressure. Current estimates indicate that 25 percent of bird species, 12 percent of mammals, 67 percent of amphibians, and 11 percent of reptiles are threatened or endangered in Fiji.

Two key approaches to protecting biodiversity and fulfilling the constitutional right to a healthy natural

World are protected areas and endangered species legislation. While Fiji has both of these tools in place, both the legal frameworks and the resources required for implementation need to be improved. Fiji has a wide range of laws and policies that contribute to the establishment and management of terrestrial and marine protected areas, including the Forest Decree, the Environmental Management Act, the Bird and Game Protection Act, and the National Trust of Fiji Act. It is widely agreed that either substantial amendments or new legislation are required to provide an effective framework for establishing and managing protected areas.

As a party to the UN Convention on Biological Diversity, Fiji is committed to achieving the Aichi targets for protected areas by 2020, which require legal protection for at least ten percent of Fiji's marine realm and seventeen percent of its land. In fact, Fiji made a previous commitment to include 30 percent of its marine region in marine protected areas by 2020. Given that existing levels of protected areas on land and at sea are both well below 10 percent, it will take expedited action over the next two years for Fiji to reach these targets.

To implement its commitments under the Convention on Trade in Endangered Species (CITES), Fiji enacted the Endangered and Protected Species Act 2002. While this Act does attempt to fulfill Fiji's obligations under CITES, it lacks many of the standard elements of endangered species legislation including prohibitions on harming a listed species or its critical habitat, and mandatory development and implementation of recovery plans for listed species. In partnership with the Government, conservation organizations have carried out recovery activities for some high-profile species such as the critically endangered Fijian crested iguana and the Fiji petrel, but this is no substitute for a comprehensive approach.

### **Making Space for Environment and Human Rights Defenders**

At the same time that the full enjoyment of human rights depends upon a healthy environment, the exercise of human rights helps to ensure the protection of the environment. For example, under international human rights law, everyone has the right to information about environmental matters, the right to participate in environmental decision-making, the rights of freedom of expression and association on environmental matters, and the right of access to effective remedies for environmental harm. The free and full exercise of these rights enables people to ensure that environmental policy is fair and effective.

Unfortunately, in much of the world today, it is increasingly dangerous to be an environmental human rights defender – that is, someone who speaks out to defend human rights related to the enjoyment of a healthy environment. Environmental defenders in some countries are harassed, sued, subjected to violence, and even murdered. Governments have obligations to protect environmental defenders from such threats, to ensure that they can participate fully and without fear in the environmental decision-making process.

Fiji is fortunately not among the countries where environmental defenders have been murdered or imprisoned. Yet during my visit I heard concerns expressed by environmentalists and human rights activists about being threatened. Some mentioned Government actions that made them feel intimidated. Fiji's Government should welcome environmentalists and human rights activists with open arms, for their voices are vital to a healthy democracy.

Although the National Human Rights and Anti-Discrimination Commission has a mandate to receive and adjudicate citizen complaints, it does not appear to have received any environment-related complaints. As well, there do not appear to be any cases being brought to the courts based on Fijian's constitutional right to a clean and healthy environment, suggesting a need for capacity-building in the legal profession as well as judicial education.

### **Conclusion**

I encourage the Government to raise public awareness about the new rights under the 2013 Constitution, especially the right to a clean and healthy environment and the right to have the natural world protected for the benefit of present and future generations. Fiji can show the world its commitment to fulfilling these rights by reporting on domestic actions through the UN's Universal Periodic Review process in 2019. I am sure that Fiji will continue to advocate eloquently for increased climate ambition and action, as it did in its role as President of COP 23, and as it continued to do at the recent COP 24 in Poland.

Fiji is also committed to achieving the 2030 Sustainable Development Goals. Human rights are at the

heart of the SDGs, and should be directly integrated into all plans, policies, and programmes intended to advance progress towards the 2030 targets. This is essential to ensure that no Fijians are left behind. Fiji is scheduled to present its first Voluntary National Review on SDG progress to the UN's High Level Political Forum in 2019 and should ensure that human rights are incorporated in its report.

I welcome the assurances I received from the Government of Fiji that it is genuinely committed to strengthening protection of human rights and the environment. A new National Environment Hotline is supposed to be launched soon to enable members of the public to report illegal activities such as dumping garbage or damaging mangroves. The long-awaited Environmental Tribunal has been established. Standards for maximum sulphur content in diesel fuel and gasoline were strengthened dramatically (coming into force in 2019 and 2021 respectively). A law creating a Lands Tribunal to resolve disputes is expected to be tabled early in 2019. The Fair Royalties in Mining Act came into force in 2018. Farmers are receiving training and assistance to eliminate burning of crop residues, reduce fertilizer use, and switch to organic agriculture through the Wakatu Fiji campaign (Ministries of iTaukei Affairs, Agriculture, and Forests). Fiji has entered a partnership with Singapore to improve urban planning. A strong effort is being made to incorporate gender considerations into policy-making related to climate change and the environment so that women's voices gain prominence.

These are steps in the right direction, but it is critical that additional steps are taken quickly and effectively, particularly through implementing and enforcing environmental rules that protect human rights. These actions would reassure the public that the Government consistently follows through on its environmental and human rights commitments. All new environment-related initiatives should take human rights into consideration, so that procedural rights (e.g. information and participation) are respected, and the right to a clean and healthy environment is advanced.

I will more comprehensively address these and other issues in my report to the United Nations Human Rights Council, which I will prepare in the coming months and present to the Council early in 2020. I look forward to staying in touch with government and civil society representatives over the coming year so that my report is as up to date as possible.

Let me conclude by reiterating my heartfelt appreciation to all of the Fijian people who took the time to share their views with me over the past two weeks. It has been an honour and a privilege to learn about this beautiful South Pacific island nation, the environmental challenges Fiji faces, and the genuine determination to overcome these challenges in order to respect, protect, and fulfill every Fijian's right to live in a clean and healthy environment.

Vinaka!

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1/ Prasad N, Jenkins AP, Naucukidi L, Rosa V, Sahu-Khan A, Kama M, et al. (2018) "Epidemiology and risk factors for typhoid fever in Central Division, Fiji, 2014–2017: A case-control study." *PLoS Negl Trop Dis* 12(6): e0006571. <https://doi.org/10.1371/journal.pntd.0006571>