

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tonga has established goals to further improve the educational system through the Ministry of Education's 1996 Strategic Plan. The plan calls for an increase by 2010 in the compulsory school age to 17 or "form level" 6, and for the establishment of universal access to quality education up to form 6. It also calls for strengthening the Ministry of Education and enhancing training, expanding and developing vocational and distance education and establishing formal pre-school programs.<sup>4341</sup> AusAID provides financial assistance to the Ha'apai Development Fund, which supports projects in the Ha'apai islands of Tonga. The fund is overseen by government and community representatives and has involved the construction of teacher housing.<sup>4342</sup> UNICEF works with government agencies and NGOs to address children's health and youth development in the country.<sup>4343</sup>

## Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Tonga are unavailable. The U.S. Department of State reported that there was no child labor in the formal economy in 2002.<sup>4344</sup>

The Education Act of 1974 provides for free and compulsory education from age 6 to 14.<sup>4345</sup> In 2000, the gross primary enrollment rate was 112.7 percent, and the net primary enrollment rate was 91.5 percent.<sup>4346</sup> Primary school attendance rates are unavailable for Tonga. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>4347</sup> Although the quality of schooling in Tonga has been criticized, the country has been recognized as having achieved universal primary education,<sup>4348</sup> and retention rates to secondary school are high.<sup>4349</sup>

## Child Labor Laws and Enforcement

There is no legislation in Tonga that specifically prohibits child labor.<sup>4350</sup> The Constitution prohibits forced or bonded labor.<sup>4351</sup> Prostitution is prohibited under the Criminal Code. Penalties for offenses range from imprison-

<sup>4341</sup> UNESCO, *Education for All 2000 Assessment: Country Reports - Tonga*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000, Part 3, 11.0; available from <http://www2.unesco.org/wef/countryreports/tonga/contents.html>.

<sup>4342</sup> Australia has also provided support for school rehabilitation after a cyclone struck Tonga in 2001. See AusAID, *Country Brief- Tonga*, [online] [cited July 10, 2003]; available from [http://www.usaid.gov.au/country/cbrief.cfm?DCon=8494\\_3966\\_5283\\_4961\\_7927&CountryId=19](http://www.usaid.gov.au/country/cbrief.cfm?DCon=8494_3966_5283_4961_7927&CountryId=19).

<sup>4343</sup> UNICEF, *UNICEF's Programme of Assistance to Pacific Island Countries*, [online] [cited July 11, 2003]; available from [http://www.undp.org/fj/un/UNICEF/UNICEF\\_PIC.htm](http://www.undp.org/fj/un/UNICEF/UNICEF_PIC.htm).

<sup>4344</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Tonga*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18267pf.htm>.

<sup>4345</sup> Government of Tonga, *Ministry of Education*, [online] [cited July 10, 2003]; available from [http://pmo.gov.to/ministry\\_of\\_education.htm](http://pmo.gov.to/ministry_of_education.htm).

<sup>4346</sup> World Bank, *World Development Indicators 2003* [CD-ROM], Washington, DC, 2003.

<sup>4347</sup> For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

<sup>4348</sup> U.S. Department of State, *Country Reports- 2002: Tonga*, Section 5. See also UNESCO, *EFA Country Report: Tonga*, Section 1.2.

<sup>4349</sup> ADB, *Millennium Development Goals in the Pacific: Relevance and Progress*, Manila, March 2003, 48; available from [http://www.adb.org/documents/books/MDG\\_Pacific/mdg.pdf#page=48](http://www.adb.org/documents/books/MDG_Pacific/mdg.pdf#page=48).

<sup>4350</sup> U.S. Department of State, *Country Reports- 2002: Tonga*, Section 6d.

<sup>4351</sup> This does not apply to those being punished under the law. See *Constitution of Tonga*, Part I, Clause 2; available from [http://www.vanuatu.usp.ac.fj/paclawmat/Tonga\\_legislation/Tonga\\_Constitution.html](http://www.vanuatu.usp.ac.fj/paclawmat/Tonga_legislation/Tonga_Constitution.html). There is no evidence that forced or bonded labor occurs in the country. See U.S. Department of State, *Country Reports- 2002: Tonga*, Section 6c.

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ment for 6 months to 2 years. Males convicted a second time of profiting from prostitution may be subject to whipping.<sup>4352</sup> The Criminal Code prohibits any person from procuring or attempting to procure any girl under the age of 21 for the purposes of trafficking for prostitution. The punishment for this offense is imprisonment for up to 5 years. The abduction of women and girls is also illegal under the Criminal Code, with penalties ranging from 5 to 7 years imprisonment.<sup>4353</sup>

The Government of Tonga is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.<sup>4354</sup>

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<sup>4352</sup> *Criminal Code of Tonga*, Articles 80-81; available from [http://www.vanuatu.usp.ac.fj/Paclawmat/Tonga\\_legislation/Consolidation\\_1988/Tonga\\_Criminal\\_Offences.html](http://www.vanuatu.usp.ac.fj/Paclawmat/Tonga_legislation/Consolidation_1988/Tonga_Criminal_Offences.html).

<sup>4353</sup> *Ibid.*, Articles 126, 28-29.

<sup>4354</sup> ILO, *Alphabetical list of ILO member countries*, in ILOLEX, [database online] May 20, 2003 [cited July 10, 2003]; available from <http://www.ilo.org/public/english/standards/reln/country.htm>.