

Tonga

Incidence and Nature of Child Labor

Recent statistics on the number of working children under 15 in Tonga are unavailable.³⁹⁵¹ The U.S. Department of State reported that there was no child labor in the formal economy in 2003.³⁹⁵²

The Education Act of 1974 provides for free and compulsory education for children ages 6 to 14.³⁹⁵³ In 2001, the gross primary enrollment rate was 112.4 percent, and the net primary enrollment rate was 99.9 percent.³⁹⁵⁴ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for Tonga. Although the quality of schooling in Tonga has been criticized, education is available through high school and the country has been recognized as having achieved universal primary education.³⁹⁵⁵ In addition, retention rates to secondary school are high.³⁹⁵⁶

Child Labor Laws and Enforcement

There is no legislation in Tonga that specifically prohibits child labor.³⁹⁵⁷ The Constitution prohibits forced or bonded labor.³⁹⁵⁸ Technically, prostitution is not illegal, but owning and/or operating a brothel, pimping, and soliciting in a public place are all prohibited activities under the Criminal Code.³⁹⁵⁹ Penalties for offenses range from imprisonment for 6 months to 2 years. Males convicted a second time of profiting

³⁹⁵¹ The most recent statistics are from 1993 and 1994 when 2.1 percent of children ages 10 to 14 years were reportedly working in Tonga. See LABORSTAT, *Tonga:1A-Total and economically active population, by age group (Thousands)*, [Database] [cited August 30, 2004]; available from <http://laborsta.ilo.org/>.

³⁹⁵² U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Tonga*, Washington D. C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27791.htm>.

³⁹⁵³ Government of Tonga, *Ministry of Education*, [online] [cited May 19, 2004]; available from http://pmo.gov.to/ministry_of_education.htm.

³⁹⁵⁴ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, DC, 2004. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

³⁹⁵⁵ U.S. Department of State, *Country Reports-2003: Tonga*. See also UNESCO, *Education for All 2000 Assessment: Country Reports - Tonga*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000, Section 1.2; available from <http://www2.unesco.org/wef/countryreports/tonga/contents.html>.

³⁹⁵⁶ 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.

³⁹⁵⁷ U.S. Department of State, *Country Reports-2003: Tonga*.

³⁹⁵⁸ Regarding forced labor, the Constitution states, "No person shall serve another against his will except he be undergoing punishment by law..." See *Constitution of Tonga*, Part I, Clause 2; available from 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-2003: Tonga*.

³⁹⁵⁹ U.S. Department of State, *Country Reports-2003: Tonga*. Section 5. See Sections 80-81 in Government of Tonga, *Criminal Code of Tonga*; available from http://www.vanuatu.usp.ac.fj/Paclawmat/Tonga_legislation/Consolidation_1988/Tonga_Criminal_Offences.html.

from prostitution may be subject to whipping.³⁹⁶⁰ 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.³⁹⁶¹

Current 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 years, and for the establishment of universal access to quality education up to age 17.³⁹⁶³ 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.³⁹⁶⁴

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138	N/A ³⁹⁶²
Ratified Convention 182	N/A
ILO-IPEC Member	
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

AusAID is the largest aid donor to Tonga and 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.³⁹⁶⁵

Tonga is part of the Pacific Regional Initiative for Delivery of Basic Education (PRIDE), which will harmonize basic education plans in the region and place qualified teachers in all primary schools in the Pacific. This program is funded by NZAID in cooperation with the University of the South Pacific and the Pacific Islands Forum Secretariat. NZAID will also build a high school for 200 children in Niuaus, the northernmost outer islands of Tonga.³⁹⁶⁶ Forty percent of New Zealand's USD 5.6 million aid for Tonga for 2003-2004 will focus on education and training.

UNICEF works with government agencies and NGOs to address children's health and youth development in the country.³⁹⁶⁷

³⁹⁶⁰ *Criminal Code of Tonga*, Articles 80-81.

³⁹⁶¹ *Ibid.*, Articles 126, 28-29. Sections 126, 128-129.

³⁹⁶² The Government of Tonga is not a member of the ILO, and is thus unable to ratify ILO conventions.

³⁹⁶³ The plan calls for an increase in compulsory age to 17 years or "Form 6 level" and for universal access to quality education up to age 17 years or Form 6. Form 6 is presumed to be the highest secondary education level that can be achieved in Tonga. UNESCO, *EFA Country Report: Tonga*.

³⁹⁶⁴ *Ibid.*, Part 3, 11.0.

³⁹⁶⁵ AusAID, *Tonga Program Details*, [online] 2004 [cited May 13, 2004]; available from www.usaid.gov.au/country/cbrief.cfm?DCon=8494_3966_5283_4961_7927&Country.

³⁹⁶⁶ NZAID, *NZAid June 2003 Newsletter*, [online] 2004 [cited May 13, 2004]; available from www.nzaid.govt.nz/library/newsletters/o306-newzaid.html.

³⁹⁶⁷ UNICEF, *UNICEF's Programme of Assistance to Pacific Island Countries*, [online] [cited May 19, 2004]; available from http://www.undp.org.fj/un/UNICEF/UNICEF_PIC.htm.