

Tonga

Incidence and Nature of Child Labor

Statistics on the number of working children under 15 in Tonga are unavailable.⁴⁶⁴² The U.S. Department of State reported that there was no child labor in the formal economy in 2004, the most recent time period for which such information is available.⁴⁶⁴³

The Education Act of 1974 provides for free and compulsory education for children ages 6 to 14.⁴⁶⁴⁴ In 2002, the gross primary enrollment rate was 112 percent and in 2001, the net primary enrollment rate was 100 percent.⁴⁶⁴⁵ 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.⁴⁶⁴⁶ 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.⁴⁶⁴⁷ In addition, retention rates to secondary school are high.⁴⁶⁴⁸

Child Labor Laws and Enforcement

There is no legislation in Tonga that establishes a minimum age for work.⁴⁶⁴⁹ The worst forms of child labor may be prosecuted under different statutes in Tonga. The Constitution prohibits forced or bonded labor.⁴⁶⁵⁰ There is no military conscription in Tonga.⁴⁶⁵¹ 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.⁴⁶⁵² Penalties for offenses range from imprisonment for 6 months to 2 years. Males

⁴⁶⁴² This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section of this report for information about sources used. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section.

⁴⁶⁴³ U.S. Department of State, *Country Reports on Human Rights Practices- 2005: Tonga*, Washington D. C., February 25, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27791.htm>.

⁴⁶⁴⁴ Government of Tonga, *Ministry of Education*, [online] [cited May 19, 2005]; available from http://pmo.gov.to/ministry_of_education.htm.

⁴⁶⁴⁵ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?Report=51> (Gross and Net Enrolment Ratios. primary; Accessed December 2005). 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.

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⁴⁶⁴⁷ U.S. Department of State, *Country Reports-2004: Tonga*.

⁴⁶⁴⁸ ADB, *Millennium Development Goals in the Pacific: Relevance and Progress*, Manila, March 2003; available from http://www.adb.org/documents/books/MDG_Pacific/mdg.pdf#page=48.

⁴⁶⁴⁹ U.S. Department of State, *Country Reports-2004: Tonga*.

⁴⁶⁵⁰ 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.

⁴⁶⁵¹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report*, 2004.

⁴⁶⁵² Government of Tonga, *Criminal Code of Tonga*; available from http://www.vanuatu.usp.ac.fj/Paclawmat/Tonga_legislation/Consolidation_1988/Tonga_Criminal_Offences.html.

convicted a second time of profiting from prostitution may be subject to whipping. 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 of imprisonment.⁴⁶⁵³

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 17.⁴⁶⁵⁵ 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.⁴⁶⁵⁶

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138	N/A ⁴⁶⁵⁴
Ratified Convention 182	N/A
ILO-IPEC Member	
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

The Australia Government Agency for International Development (AusAID), the largest aid donor to Tonga, 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.⁴⁶⁵⁷

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 the New Zealand Agency for International Development (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.⁴⁶⁵⁸ In addition, UNICEF works with government agencies and NGOs to address children's health and youth development in the country.⁴⁶⁵⁹

⁴⁶⁵³ Ibid., 126, 128-129.

⁴⁶⁵⁴ The Government of Tonga is not a member of the ILO, and is thus unable to ratify ILO conventions.

⁴⁶⁵⁵ 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, *Education for All 2000 Assessment: Country Reports - Tonga*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000; available from <http://www2.unesco.org/wef/countryreports/tonga/contents.html>.

⁴⁶⁵⁶ Ibid.

⁴⁶⁵⁷ AusAID, *Tonga Program Details*, [online] 2004 [cited May 13, 2004]; available from http://www.ausaid.gov.au/country/cbrief.cfm?DCon=8841_493_2758_7608_689&CountryID=19&Region=SouthPacific.

⁴⁶⁵⁸ NZAID, *NZAid June 2003 Newsletter*, [online] 2004 [cited May 13, 2004]; available from www.nzaid.govt.nz/library/newsletters/o306-newzaid.html.

⁴⁶⁵⁹ 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, 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.