

# Vanuatu

*In 2011, Vanuatu made no advancement in efforts to prevent the worst forms of child labor. While there is no evidence of a problem, the Government lacks a complete preventive legal framework. Although Vanuatu continued to participate in the Decent Work Country Program and the Pacific Policy, Advocacy, Planning and Evaluation Program during the reporting period, there are no laws that establish a minimum age for hazardous work. Moreover, the absence of a compulsory age for schooling may increase the likelihood that children enter the worst forms of child labor.*

## Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		83.4

### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis.(2)

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

There is no evidence that children in Vanuatu are engaged in the worst forms of child labor.

## Laws and Regulations on the Worst Forms of Child Labor

The Employment Act establishes the minimum age for employment at 15. It permits children under age 12 to legally perform light agricultural work on farms owned and managed by a family member, although it does not define the term "light work."<sup>(3)</sup> The Act prohibits children under age 18 from working on ships; however, with the permission of a labor officer, a child as young as 15 is allowed to work on a ship.<sup>(3)</sup> The Act also prohibits children younger than 16 from working at night and provides restrictions on night work for children between ages 16 and 18.<sup>(3)</sup> The Government has not established a minimum age for hazardous work, nor does it have a list of hazardous activities or occupations prohibited to children.<sup>(3, 4)</sup>



	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	No
	Compulsory Education Age	No
	Free Public Education	Yes

The Penal Code prohibits the use, procurement or sale of a child for prostitution.<sup>(5)</sup> It also prohibits the use, procurement and offering of a child for pornographic purposes.<sup>(5)</sup> Together,

the Employment Act and the Penal Code prohibit slavery, forced or compulsory labor and trafficking.(3, 5)

Vanuatu has a free and universal education policy; however, in practice, school fees are a significant barrier to education.(6-8) There is no compulsory age for education.(4) The lack of standards in this area may increase the risk of children's involvement in the worst forms of child labor.(6, 9) Information was not available on whether there are laws regulating the use of children in illicit activities such as drug trafficking.

## Institutional Mechanisms for Coordination and Enforcement

As there is no evidence of a problem, there appears to be no need for a coordinating mechanism to address the worst forms of child labor.

The National Children's Policy (2007-2011) created the National Children's Committee (NCC), charged with coordinating Government efforts to improve children's well-being, including eliminating the commercial sexual exploitation of children. The NCC is also responsible for monitoring child protection issues, and for creating a comprehensive and integrated agenda for children's rights.(10, 11).

The Labor Department is the primary federal agency responsible for enforcing provisions set forth in the Labor Code, including child labor laws. Most recent data from 2010 indicate that the Department employs four labor inspectors.(4)

The Government of Vanuatu, workers and employers established a Tripartite Labor Advisory Council in May 2011. The Council has an official mandate to provide recommendations and proposals for government policies on employment and labor issues.(12)

The Vanuatu Police Force is responsible for enforcing all criminal laws, including those regarding trafficking and commercial sexual exploitation. They also collaborate with the Customs, Immigrations and Labor Departments.(4) The Police Force employs 50 investigators.(4)

## Government Policies on the Worst Forms of Child Labor

As there is no evidence of a problem, there appears to be no need for policies to address the worst forms of child labor.

During the reporting period, the Government continued to implement the Decent Work Country Program (DWCP). The DWCP specifies the improvement of youth employment conditions as a priority and establishes the number and quality of labor inspection reports filed as measurement toward that goal.(13) Through the DWCP, the Labor Department has also requested financial assistance from the ILO to prepare new regulations on child labor and to translate the revised Employment Relations Bill into local languages.(13) The Government has also made labor law reform a key priority, and has drafted new legislation to replace the current Employment Act.(14)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

As there is no evidence of a problem, there appears to be no need for programs to address the worst forms of child labor.

The Government participates in UNICEF's Pacific Policy, Advocacy, Planning and Evaluation Program (PAPE). This regional Program supports the development of evidence-based social and economic policies promoting the rights of children.(15) PAPE also provides technical assistance for data collection on children's issues.(15, 16)

## Based on the reporting above, the following actions would advance the prevention of the worst forms of child labor in Vanuatu:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Define "light work" in the legislation and establish a list of hazardous occupations and activities prohibited to children.	2009, 2010, 2011
	Establish a minimum age for hazardous work.	2009, 2010, 2011
	Establish a compulsory age for education that is consistent with the minimum age for employment.	2009, 2010, 2011
	Fully implement the existing policy of free education.	2009, 2010, 2011

## REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.*; accessed March 29, 2012; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* February 2, 2012. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- Vanuatu. *Employment Act*, enacted May 30, 1983. [http://www.pacii.org/vu/legis/consol\\_act/e128/](http://www.pacii.org/vu/legis/consol_act/e128/).
- U.S. Embassy- Port Moresby. *reporting*; 2011 March 8,.
- Vanuatu. *Penal Code*, enacted August 7, 1981. [http://www.pacii.org/vu/legis/consol\\_act/pc66/](http://www.pacii.org/vu/legis/consol_act/pc66/).
- Vanuatu. *Education Act*, enacted February 25, 2002. [http://www.pacii.org/vu/legis/consol\\_act/ea104/](http://www.pacii.org/vu/legis/consol_act/ea104/).
- Oxfam New Zealand. *Back to School in Vanuatu*, Oxfam, [cited January 17, 2012]; <http://www.oxfam.org.nz/index.asp?s1=what%20we%20do&s2=where+we+work&s3=pacific&s4=vanuatu&s5=back%20to%20school%20in%20Vanuatu>.
- U.S. Department of State. “Vanuatu,” in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; [http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic\\_load\\_id=186318](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186318).
- ILO. *Country Baselines Under the ILO Declaration Annual Review (2000-2010): the Effective Abolition of Child Labour (CL), Vanuatu.* Geneva; 2010. [http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang--en/docName--WCMS\\_091263/index.htm](http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang--en/docName--WCMS_091263/index.htm).
- Government of Vanuatu. *Ministry of Justice and Community Services*, [cited April 30 2012];
- UNICEF. *Global Study on Child Poverty and Disparities: Vanuatu* Geneva; 2007. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCMQFjAA&url=http%3A%2F%2Fwww.unicef.org%2Fpacificislands%2FDARFT\\_Vanuatu\\_latest.doc&ei=pO2eT5icGcju0gHU3KyMDw&usq=AFOjCNF8PbukWXhGhSo55Iqsy9pl8-WCw](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCMQFjAA&url=http%3A%2F%2Fwww.unicef.org%2Fpacificislands%2FDARFT_Vanuatu_latest.doc&ei=pO2eT5icGcju0gHU3KyMDw&usq=AFOjCNF8PbukWXhGhSo55Iqsy9pl8-WCw).
- ILO. *Tripartite Labour Advisory Council launched in Vanuatu*, ILO, [cited April 30 2012]; [http://www.ilo.org/asia/info/public/pr/WCMS\\_155453/lang--en/index.htm](http://www.ilo.org/asia/info/public/pr/WCMS_155453/lang--en/index.htm).
- ILO. *Decent Work Country Programme - Vanuatu (2009-2012)*. Port Vila, ILO; July 28, 2009. [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms\\_155723.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_155723.pdf).
- ILO. *Breakthrough in reforming labour legislation in Vanuatu*. online, ILO; 2011 December 8, 2011. [http://www.ilo.org/suva/information-resources/public-information/press-releases/WCMS\\_160856/lang--en/index.htm](http://www.ilo.org/suva/information-resources/public-information/press-releases/WCMS_160856/lang--en/index.htm).
- UNICEF Pacific. *A Situation Analysis and Review of UNICEF Pacific’s Policy, Advocacy, Planning and Evaluation Programme (PAPE)*; 2010 May. [http://www.unicef.org/pacificislands/9596\\_13564.html](http://www.unicef.org/pacificislands/9596_13564.html).
- UNICEF. *Policy, Advocacy, Planning and Evaluation (PAPE)*, UNICEF, [cited November 28, 2011]; [http://www.unicef.org/pacificislands/9596\\_11759.html](http://www.unicef.org/pacificislands/9596_11759.html).