

In 2012, Tonga made no advancement in efforts to eliminate the worst forms of child labor. The lack of information regarding the worst forms of child labor in Tonga, may be an indicator of a small or hidden problem. The country has no laws specifying a minimum age for work or defining hazardous forms of work for children under age 18, leaving children unprotected from many types of labor exploitation.

### 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		104.0

#### Sources:

**Primary completion rate:** Data from 2006, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis, 2013.(2)

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

There is little information available about the extent and nature of the worst forms of child labor in Tonga. However, limited reports suggest that children may be engaged in agriculture and fishing.(3, 4) Children working in agriculture may be required to use dangerous tools, carry heavy loads, and apply harmful pesticides.(3, 5, 6) Children working in fishing may work long hours, perform physically demanding tasks, and face dangers such as drowning.(3, 7)

There have also been a limited number of reports of children working as household domestics.(3, 8) They may be required to work long hours, performing strenuous tasks, without sufficient food or shelter.(9) Although evidence is limited, there are also some reports of children involved in commercial sexual exploitation.(3, 8)

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

Tonga has no laws specifying a minimum age for work or defining hazardous forms of work for children.(3, 4) There is no comprehensive labor code in Tonga, though the government is working with the ILO toward the establishment of a new labor law in 2013.(10)



### International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	N/A
	C182, Worst Forms of Child Labor	N/A
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	No
	Minimum Age for Hazardous Work	No
	Compulsory Education Age	14
	Free Public Education	Yes

# Tonga

The Constitution of Tonga prohibits slavery and servitude.(11) The Transnational Crimes Act outlaws the trafficking of children.(3) The Criminal Offenses Act prohibits the procurement of any girl under age 21 for prostitution either within or outside the country.(12) The Act does not provide the same protections for boys under 21 but it prohibits “indecent assault” on both boys and girls under age 12.(3, 12) The Act was amended in 2003 to prohibit child pornography.(13) Tongan law also criminalizes the use of children as “involuntary agents” in illicit activities.(3)

There is no military conscription in Tonga. The minimum age for voluntary service is 18; however, with parental approval, children can enlist in the military at age 16 for noncombat positions.(14) Education is compulsory to age 14.(15)

## **Institutional Mechanisms for Coordination and Enforcement**

Research found no evidence that the Government of Tonga has established a coordinating mechanism to combat the worst forms of child labor.(3)

The Ministry of Commerce, Tourism and Labor (MOCTL) is responsible for the enforcement of labor laws. The MOCTL’s business license inspectors look for children engaged in the worst forms of child labor in the course of their regular inspection duties.(3) If the MOCTL receives a specific report of child labor, the Chief Labor Inspector visits the site, conducts an investigation, and requests police involvement if necessary. There were no known cases of child labor reported or investigated during the reporting period.(3)

The MOCTL, the police, and the Immigration Department enforce laws related to forced labor, trafficking, the commercial sexual exploitation of children, and the use of children in illicit activities. There were no known cases of child trafficking, child

forced labor, commercial sexual exploitation of children, or the use of children in illicit activities investigated during the reporting period.(3)

## **Government Policies on the Worst Forms of Child Labor**

There does not appear to be any Government research available on the worst forms of child labor.

The Government’s Strategic Development Plan (2009-2013) sets the objective of increasing the performance of technical and vocational education services and infrastructure in the country.(16) Priority is given to women and children to strengthen competencies in agriculture, horticulture, fishing, business and marketing, plumbing, carpentry, and motor maintenance.(17) Research did not determine the extent to which children who receive this training are protected from dangerous work, and the overall impact of this Plan on child labor does not appear to have been addressed.

With funding from the Governments of Australia and New Zealand, the Government of Tonga continued to implement the Tonga Education Policy Framework during the reporting period. The main goals of the Framework are to build the capacity of the Ministry of Education, improve school quality, and achieve universal primary education.(3) The impact of this policy on the worst forms of child labor does not appear to have been addressed.

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

Although limited evidence suggests that there may be problems in some sectors, research found no evidence of any programs to address the worst forms of child labor.

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Tonga:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Establish labor regulations that include a minimum age for employment of 14 years and a minimum age for hazardous work of 18 years in accordance with international standards.	2009, 2010, 2011, 2012
	Define hazardous occupations and activities forbidden for children.	2009, 2010, 2011, 2012
	Amend legislation to include boys as victims in prostitution-related crimes.	2009, 2010, 2011, 2012
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor.	2009, 2010, 2011, 2012
Policies	Conduct research to better identify the extent and nature of the worst forms of child labor in Tonga to design appropriate policies and programs.	2009, 2010, 2011, 2012
	Ensure that the vocational education curriculum under Strategic Development Plan Nine incorporates measures to protect children from dangerous tasks.	2011, 2012
	Assess the impact the existing policies may have on addressing child labor.	2010, 2011, 2012
Social Programs	Implement programs to address the worst forms of child labor in sectors in which they are occurring.	2010, 2011, 2012

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