

In 2015, Vanuatu made no advancement in efforts to eliminate the worst forms of child labor. Although the problem does not appear to be widespread, limited evidence suggests that children are engaged in the worst forms of child labor in commercial sexual exploitation. Vanuatu's minimum ages of 12 for work and 15 for hazardous work are not in compliance with international standards. A mechanism to coordinate government efforts to combat child labor has not been established. Vanuatu does not have any social programs to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu are engaged in the worst forms of child labor in commercial sexual exploitation.(1) Table 1 provides key indicators on children's work and education in Vanuatu. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		93.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(2) Data were unavailable from Understanding Children's Work Project's analysis, 2015.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Forestry,*† farming,* activities unknown (4, 5)
Services	Street vending* (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (1, 4)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3 (a)–(c) of ILO C. 182.


There have been no national surveys of child labor in Vanuatu to determine the nature and prevalence of the problem.(5)

The Vanuatu Education Road Map establishes a policy to make primary education, grades one to six, free to all children by 2015.(6) However, school fees and lack of physical access to schools continue to be significant barriers to education.(5, 7)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Vanuatu has ratified most key international conventions concerning child labor (Table 3).



Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓

Vanuatu

NO ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor (cont)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 38 of the Employment Act (8)
Minimum Age for Hazardous Work	Yes	15	Section 40 of the Employment Act (8)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 40 of the Employment Act (8)
Prohibition of Forced Labor	Yes		Section 7 of the Employment Act; Section 102 of the Penal Code; Section 35 of the Counter Terrorism and Transnational Organized Crime Act (8-10)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B, 101C, 101D, and 147B of the Penal Code (9)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (9)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (11)

The minimum age of 15 for hazardous work is not in compliance with international standards because it fails to protect children ages 16 and 17 from work that could jeopardize their health and safety.(8) While children ages 12 and 13 are permitted to work in agricultural light work, the law does not specify the activities and hours per week that are allowed for work.(8)

Laws related to forced labor are not sufficient as debt bondage is not criminally prohibited.(8, 9)

While the Penal Code prohibits the incitement of another person to commit any criminal offense, the law is not sufficient as it does not include heightened penalties for inciting children to engage in criminal activities.(9)

There is no compulsory age for education, increasing the risk of children's involvement in child labor.(12)

The Government has yet to pass the Employment Relations Bill of 2012 that prohibits the engagement of children under the age of 18 in hazardous work.(12)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforce provisions set forth in the Employment Act, including child labor laws.(4)
Vanuatu Police Force	Enforce all criminal laws related to the worst forms of child labor.(4)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Vanuatu took actions to combat the worst forms of child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	0 (13)	0 (13)
Number of Labor Inspectors	4 (5)	4 (4)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (4)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown (5)	No (4)
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown (5)	No (4)
Number of Labor Inspections	Unknown (5)	41 (4)
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown (5)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	Unknown (4)
■ Number of Penalties Imposed That Were Collected	Unknown (5)	Unknown (4)
Routine Inspections Conducted	Unknown	Unknown
■ Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (4)	Yes (4)
Unannounced Inspections Conducted	Unknown	Yes (4)
Complaint Mechanism Exists	Unknown (5)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown (5)	Unknown (4)
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown (5)	Unknown (4)
Number of Investigations	Unknown (5)	Unknown (4)
Number of Violations Found	Unknown (5)	Unknown (4)
Number of Prosecutions Initiated	Unknown (5)	Unknown (4)
Number of Convictions	Unknown (5)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (5)	Unknown (4)

Based on the most recent data available from 2012, the Vanuatu Police Force employs 50 investigators, who are responsible for enforcing laws against the worst forms of child labor.(5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although a committee exists to improve the well-being of children, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including all its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Children's Committee	Coordinate government efforts to improve children's well-being, including eliminating the commercial sexual exploitation of children. Monitor child protection issues and create a comprehensive and integrated agenda for children's rights.(5, 14)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Vanuatu has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
UNDAF for the Pacific Region (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(15) Includes initiatives to prevent and respond to abuse and exploitation of children in Vanuatu.(16)
Vanuatu Education Road Map*	Establishes a comprehensive strategic direction for the country's education sector and specifically supports the goal of achieving universal primary education by 2015. Includes three strategic goals: (1) to increase equal access to education, which includes increasing government grants and phasing out parental contributions; (2) to improve the quality of education; and (3) to improve management of the education system.(6)
Vanuatu Minimum Quality Standards for Primary Schools*	Includes a requirement that all primary schools develop and implement Safe School Policies that cover child protection and emergency preparedness.(17)

*Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Although the Government of Vanuatu has policies related to child labor, research found no evidence of a policy addressing child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Vanuatu (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2015
	Ensure that child labor laws are in compliance with international standards by raising the minimum age for hazardous work to 18.	2009 – 2015
	Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the activities and hours per week that are allowed.	2009 – 2015
	Ensure that debt bondage is criminally prohibited.	2015
	Ensure that there are heightened penalties for inciting children to engage in criminal activities.	2015
	Ensure that the law establishes a compulsory age for education that is equal to or older than the minimum age for work.	2009 – 2015

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide funding to the labor inspectorate to enforce laws prohibiting child labor.	2015
	Train labor inspectors on enforcing child labor laws and train criminal investigators on enforcing laws prohibiting the worst forms of child labor.	2014 – 2015
	Publish data on labor law and criminal law enforcement actions taken to address child labor, including its worst forms.	2012 – 2015
	Establish referral mechanisms among the Labor Department, the Vanuatu Police Force, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2015
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2012 – 2015
Government Policies	Explore ways to increase access to schooling and fully implement the policy of free, universal education.	2012 – 2015
	Integrate child labor elimination and prevention into existing education and child protection policies.	2012 – 2015
	Establish a policy to address child labor, including its worst forms.	2014 – 2015
Social Programs	Conduct a national child labor survey to determine the prevalence and nature of child labor in Vanuatu.	2014 – 2015
	Implement programs to address the worst forms of child labor, specifically commercial sexual exploitation.	2012 – 2015

REFERENCES

- U.S. Department of State. “Vanuatu,” in *Human Rights Report- 2014*. Washington, DC; July 27, 2015; <http://www.state.gov/documents/organization/236700.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed December 16, 2015] <http://data.uis.unesco.org/>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary. A high ratio indicates a high degree of current primary education completion. Because the calculation includes all new entrants to last grade (regardless of age), the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. 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*. Analysis received December 18, 2015. 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.
- U.S. Embassy- Port Moresby. *reporting, January 22, 2016*.
- U.S. Embassy- Port Moresby. *reporting, December 28, 2014*.
- Government of Vanuatu. *Vanuatu Education Road Map*. Canberra; 2009. http://www.ausaid.gov.au/publications/pages/8652_7694_5075_2266_8206.aspx.
- Humanium for Children’s Rights. *Children of Vanuatu: Realizing Children’s Rights in Vanuatu*, Humanium, [online] [cited December 29, 2014]; <http://www.humanium.org/en/vanuatu/>.
- Government of Vanuatu. *Employment Act (Cap 160)*, enacted May 30, 1983 http://www.ifev.edu.vu/council/empl_act.html.
- Government of Vanuatu. *Penal Code*, Chap. 135, enacted August 7, 1981. http://www.paclii.org/vu/legis/consol_act/pc66/.
- Government of Vanuatu. *Counter Terrorism and Transnational Organised Crime Act*, enacted February 24, 2006. <http://www.icla.up.ac.za/images/un/use-of-force/asia-pacific/Vanuatu/Counter%20Terrorism%20and%20Transnational%20Organised%20Crime%20Vanuatu%202006.pdf>.
- Central Intelligence Agency. *The World Factbook: Vanuatu*, United States Government, [online] [cited January 5, 2015]; <https://www.cia.gov/library/publications/the-world-factbook/geos/nh.html>.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Vanuatu (ratification: 2006) Published: 2015*; accessed November 19, 2015; <http://www.ilo.org/ilolex/english/iloquery.htm>.
- U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. March 30, 2016.
- Ministry of Justice and Community Services, Government of Vanuatu, [previously online] [cited April 30, 2013]; <http://www.governmentofvanuatu.gov.vu/index.php/government/justice> [source on file].
- UNDAF for the Pacific Region 2013-2017. http://www.undp.org/content/dam/samoa/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf.
- UNDAF. *Results Matrix 2013-2017, Vanuatu*. http://www.pacific.one.un.org/images/stories/2013/vanuatu_crm.pdf.
- Ministry of Education. *Vanuatu Minimum Quality Standards for Primary Schools*; September 2011. http://www.unicef.org/pacificislands/UNICEF_VANUATU_MINIMUM_QUALITY_STANDARDS_FOR_PRIMARY_SCHOOLS_1.pdf.