

In 2021, Vanuatu made minimal advancement in efforts to eliminate the worst forms of child labor. The government created the National Steering Committee on Migrant Protection, which serves to enhance the ability of the government to identify and respond to cases of trafficking in persons, including child labor trafficking, and the Ministry of Education and Training released the Vanuatu Education and Training Sector Strategic Plan (2021–2030), which outlines policies and strategies to improve access to education for all children in the country. Although research is limited, there is evidence that children in Vanuatu are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Children also engage in dangerous tasks in forestry and logging activities. Vanuatu’s minimum age for hazardous work is below that of international standards. Vanuatu also lacks a referral mechanism between criminal authorities and social services providers. Significant commitment to eradicate child labor is still required, especially with funding and interagency coordination procedures. In addition, the Government of Vanuatu did not respond to requests for information for this report.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work. Children also engage in dangerous tasks in forestry and logging activities. (1-4) 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 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		94.2

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (5)  
Data were unavailable from International Labor Organization’s analysis, 2022. (6)

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, including logging (1,3,4)
Services	Street vending, including selling newspapers (1,3,7,8)
Categorical Worst Forms of Child Labor‡	Forced domestic work (2,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,9,10)

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

Vanuatu lacks data to determine the nature and prevalence of child labor in the country. (1,3,8) Children living in remote areas face difficulties accessing education, increasing the risk of children’s involvement in child labor. (3,11) In addition, approximately 50 percent of children reportedly drop out of the education system due to inadequate programs and facilities, and a lack of school slots. (3) Free primary education has led to an increase in students enrolling in schools, which has created a need for improved infrastructure and teacher

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training. (3) Lack of proper sanitation facilities continues to be a hurdle. Only 53 percent of Vanuatu has access to basic sanitation facilities, and lack of access to water and sanitation to manage menstrual hygiene has been a key concern for girls in school. (3) Although children are often seen selling newspapers on the street, the country does not consider that this activity should be regulated. (3) Families sometimes send children to live with relatives in nearby towns or cities, and these children are subjected to forced labor as domestic workers. (2,9)

## II. LEGAL FRAMEWORK FOR 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	✓
 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 (Table 4). However, gaps exist in Vanuatu's legal framework to adequately protect children from the worst forms of child labor, including a failure to criminalize the use of children in illicit activities.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 38 and 39 of the Employment Act (12)
Minimum Age for Hazardous Work	No	15	Section 40 of the Employment Act (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 40 of the Employment Act (12)
Prohibition of Forced Labor	Yes		Sections 7 and 78(2) of the Employment Act; Section 102 of the Penal Code; Sections 2 and 34-35 of the Counter Terrorism and Transnational Organized Crime Act. (12, 13)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B–D of the Penal Code; Section 2 and 35 of the Counter Terrorism and Transnational Organized Crime Act. (13, 14)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (14)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	No		

† Country has no standing military (15)

Vanuatu's hazardous work prohibitions do not comply with international standards that require all children under age 18 to be protected from work that could jeopardize their health and safety. Further, Vanuatu has yet to determine by law the types of hazardous work prohibited for children. (12, 16-18) In addition, the Employment Act permits children under age 12 to perform light work in agricultural undertakings owned and managed by their own families without requiring that the undertaking not have other employees and be for local consumption only; the Employment Act also permits children ages 12 and 13 to work in light agricultural work and domestic work, but it does not specify the activities or hours per week that are allowed. (12) The Penal Code does not include heightened penalties for inducing children to engage in illicit activities, including in drug production and drug trafficking. (14) The government acknowledges these gaps and is developing a Child Protection Bill, which is in draft form and is expected to go before Parliament in 2022. (8, 19, 20) Vanuatu lacks a compulsory education policy, increasing the risk of children's involvement in child labor. (10, 16)

Although it does not appear that there are any laws that provide free basic education, the Primary Education School Fee Grant Policy sometimes provides free basic education in government-owned schools for children in grades one to six. (10, 21, 22) During the reporting period, as part of the continued response to the COVID-19 pandemic, the Government of Vanuatu subsidized school fees for more than 26,000 students. (23)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor	Enforces provisions set forth in the Employment Act, including child labor laws. (3,7)
Vanuatu Police Force	Enforces all criminal laws related to the worst forms of child labor and collaborates with the Vanuatu Tourism Office to address commercial sexual exploitation of children. Prosecutes child labor cases. (3,10)
National Intelligence Unit	Operates under the Vanuatu Police Force. Is the designated lead and enforces Vanuatu's trafficking in persons laws, including possible commercial sexual exploitation of children as a result of human trafficking. (9,24)

The Child Desk, under the Ministry of Justice and Community Services, does not have adequate financial and human resources to develop and integrate national planning initiatives into child protection policies. (1,3) Coordination between the Department of Labor, the Vanuatu Police Force, and the Vanuatu Tourism Office is weak and carried out on an ad hoc basis. In most cases, the three agencies' commitment, coordination, and priorities vary, based on their mandated roles, budgetary allocations, and structural capacity. (3) In many cases, including suspected labor issues involving child labor, the Vanuatu Police Force and the Department of Labor lack proper communication and collaboration mechanisms to investigate allegations unless sanctioned by the government. (25)

#### Labor Law Enforcement

In 2021, research did not find information on whether labor law enforcement agencies in Vanuatu took actions to address child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (1)	Unknown (3)
Number of Labor Inspectors	4 (22)	Unknown (3)
Mechanism to Assess Civil Penalties	Yes (12)	Yes (12)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	Unknown (1)	Unknown (3)
Number Conducted at Worksite	Unknown (1)	Unknown (3)
Number of Child Labor Violations Found	Unknown (1)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (3)
Routine Inspections Conducted	Unknown (1)	Unknown (3)
Routine Inspections Targeted	Unknown (1)	Unknown (3)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Yes (1)	Yes (3)
Complaint Mechanism Exists	No (26)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	Unknown (3)

The Government of Vanuatu did not respond to requests for information on its labor law enforcement efforts for inclusion in this report. However, research indicates that Vanuatu does not have a formal mechanism for reporting and responding to children who need protection. (3) Vanuatu lacks interagency referral and coordination protocols to connect enforcement authorities—including the Department of Labor—to social welfare services. (1,3,8,9) Although the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Vanuatu would need to employ roughly 3 labor inspectors because its workforce consists of more than 92,000 workers. (27)

### Criminal Law Enforcement

In 2021, research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to address child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)
Number of Investigations	50 (22)	Unknown (3)
Number of Violations Found	Unknown (1)	Unknown (3)
Number of Prosecutions Initiated	Unknown (1)	Unknown (3)
Number of Convictions	Unknown (1)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	Unknown (3)

The Government of Vanuatu did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. However, research found that although the police have established standard operating procedures to attend to child victims, there is no formal referral mechanism between the police and social services. (3,7,8) Most cases of child labor are dealt with by *Kastom* (an informal method individuals use to settle disputes), and although anyone can report a crime, research found that police are more likely to investigate if the victims themselves report their allegations. After a case is reported by the victim, the police are mandated to investigate the allegations and bring evidence to the public prosecutor for trial. (1,28) Reporting shows that inspectors in Vanuatu do not receive anti-human trafficking trainings. (29)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Child Protection Working Group	Serves as the primary forum for exchanging information on child protection and the commercial sexual exploitation of children. Chaired by the Director General of the Ministry of Justice and Community Services, and comprises representatives from the government, UN agencies, civil society organizations, and NGOs. (7,30-33) The program was recently reactivated since ceasing operations in 2014. (3) According to its Terms of Reference, it has a role in capacity building, systems strengthening, emergency preparedness and response, and coordination of services across all child protection sectors. (1,3,34)
<i>Kastom</i> (custom)	Serves as the primary informal method to handle child protection issues in Vanuatu. Comprises informal service providers, including religious leaders, women's groups, and NGOs, to whom children are referred through <i>Kastom</i> for services. (7,8) Although there are no formal reports of this service being used during the reporting period, it may have been used in rural areas. (35)
National Steering Committee on Migrant Protection	Serves to enhance the ability of the government to identify and respond to cases of trafficking in persons, including child labor trafficking, by assessing policies and legislation related to trafficking in persons. (36) Chaired by Director General of the Ministry of Internal Affairs and comprises senior government officials from Vanuatu Immigration Services, the Department of Customs and Inland Revenue, Biosecurity Vanuatu, the Department of Labor, the Department of Women's Affairs, the Transnational Crime Unit, and the National Security Council. The Steering Committee held its first meeting in November 2021. (25,36)

Although the government has established a National Child Protection Working Group to address the commercial sexual exploitation of children, research found no evidence of a coordinating mechanism to address all forms of child labor. (30) *Kastom* is a common mechanism used to address child protection issues, but research found that there is a lack of established interagency protocols and procedures between *Kastom* and governmental offices—including the Vanuatu Police Force—to sufficiently coordinate and ensure that child protection services are provided. (3,7,8) In addition, research found that interagency coordination on human trafficking investigations between law enforcement agencies was primarily ad hoc. Lastly, there were reports that government resources were diverted away from anti-trafficking related duties, including eliminating the worst forms of child labor, to address the impact of the pandemic. (37)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of implementation of the National Children Protection Policy.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Children Protection Policy (2016–2026)	Aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. Provides children with equitable access to services to support reintegration and recovery when needed. (10,30,32)
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework, comprising 14 South Pacific nations. Created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (40)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (41)

Research was unable to determine whether any policies were active during the reporting period. The National Children Protection Policy does not have a dedicated budget, and the offices responsible for its implementation lack human and financial resources. (1,3,8)

There is no register of civil society organizations tasked with protecting children, and social services providers are not required to be registered with the state. Furthermore, there are no standards or requirements that child protection agents or social services providers must follow when addressing children's issues. (3,8,32)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem.

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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Education School Fee Grant†	Funded by the Government of Vanuatu's Ministry of Education; provides funding directly to primary schools to manage. Funds are disbursed to students in Years 1 through 6 to offset education costs. (42,43) The grant program was active in 2021. (44)
Education and Training Sector Strategic Plan (2021–2030)*	A strategic plan to strengthen the education sector in Vanuatu, including the education budget and monitoring of expenses. (39) Provides access to education to all children in Vanuatu. Implements quality infrastructure based on needs. (39) Reduces the number of out-of-school children and identifies children studying at the incorrect grade level. (39)

\* Program was launched during the reporting period.

† Program is funded by the Government of Vanuatu.

Research was unable to determine whether the Vanuatu Education School Fee Grant program included child labor elimination policies or efforts.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Vanuatu (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2021
	Ensure that the minimum age for hazardous work is age 18.	2016 – 2021
	Determine by national law or regulation the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.	2009 – 2021
	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 – 2021
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016 – 2021
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Establish by law provision of free basic public education.	2016 – 2021
	Establish by law an age up to which education is compulsory that extends to the minimum age for work.	2016 – 2021
Enforcement	Publish information on labor law enforcement efforts undertaken, including the number of labor inspectors, labor inspectorate funding, the number and type of labor inspections conducted, violations found, and penalties imposed and collected.	2012 – 2021
	Ensure that the number of labor inspectors meets the ILO's technical advice.	2021
	Train labor inspectors and criminal investigators on human anti-trafficking and enforcement of child labor laws, and make the results of these efforts public.	2014 – 2021
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of investigations conducted, violations found, prosecutions initiated, convictions made, and penalties imposed.	2012 – 2021
	Strengthen coordination and sufficiently fund referral mechanisms between the Department of Labor, the Vanuatu Police Force, the Vanuatu Tourism office, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2021
	Ensure that the Child Desk has adequate financial and human resources to develop and integrate national planning initiatives for child protection policies.	2019 – 2021
	Ensure that all complaints of child labor are investigated, regardless of who lodges the complaint.	2019 – 2021
Coordination	Establish interagency protocols and a referral and coordination mechanism between <i>Kastom</i> and government child protection services.	2018 – 2021
	Ensure that the National Child Protection Working Group is funded and active and can carry out its intended mandates.	2018 – 2021
Government Policies	Ensure that all policies are allocated funding and implemented as intended to address all relevant worst forms of child labor, including the commercial sexual exploitation of children.	2016 – 2021
	Ensure that social services providers are registered and follow a standard set of procedures in providing care to vulnerable children.	2019 – 2021



**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, including in forestry and logging.	2014 – 2021
	Increase access to education for all children, including access by remote students, facilities to accommodate all children, improved infrastructure, adequate programs, and expanded teacher training.	2012 – 2021
	Ensure that the Education School Fee Grant is sufficiently funded and contains child labor elimination policies or efforts.	2018 – 2021

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