

In 2017, Vanuatu made a minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Vanuatu Child Safeguarding Policy, which provides guidelines for the protection of children from abuse, including child labor. Although research is limited, there is evidence that children in Vanuatu engage in dangerous tasks in forestry. Vanuatu's minimum ages of 12 for work and 15 for hazardous work do not comply with international standards.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu engage in dangerous tasks in forestry. (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 to 14 | Unavailable |
| Attending School (%) | 5 to 14 | Unavailable |
| Combining Work and School (%) | 7 to 14 | Unavailable |
| Primary Completion Rate (%) | | 93.8 |

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2018. (2) Data were unavailable from Understanding Children's Work Project's analysis, 2018. (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, including logging (1) |
| Services | Street vending (1) |

Vanuatu lacks data to determine the nature and prevalence of child labor in the country. (4) Children living in remote areas face difficulties accessing education, increasing the risk of children's involvement in child labor. (5; 6)

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 | |

Vanuatu

MINIMAL ADVANCEMENT

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 the minimum age for work and the prohibition of using children in forced labor.

Table 4. Laws and Regulations on Child Labor

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

† No standing military (10)

The minimum age for work does not meet international standards because the Employment Act permits children as young as 14 years of age to work. (7) In addition, the Employment Act permits children ages 12 and 13 to work in agricultural light work, but it does not specify the activities and hours per week that are allowed. (11; 7)

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, and it has not determined by national law or regulation the types of hazardous work prohibited for children. (5) The minimum age of 15 for hazardous work is not in compliance with international standards and does not protect children from work that could jeopardize their health and safety. (7)

Laws related to forced labor are not sufficient, as debt bondage is not criminally prohibited. (11; 7; 8) In addition, the Penal Code does not include heightened penalties for inciting children to engage in criminal activities, including drug production and drug trafficking. (8) There is no compulsory age for education, and although it does not appear that there are any laws that provide free basic education, the Primary Education School Fee Grant Policy sufficiently provides free basic education in government-owned schools for children in grades one to six. (12)

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 the Department of Labor, and Ministry of Justice and Community Services 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 | Enforce provisions set forth in the Employment Act, including child labor laws. (11) |
| Ministry of Justice and Community Services (MJCS) | Support of agencies that review laws, make new laws, and implement relevant UN Conventions. (13) The Child Desk strengthens national planning, integrates international goals (United Nations Convention on the Rights of the Child), develops a system of protection for children, and supports community efforts to prevent child abuse. (14; 13) |
| Vanuatu Police Force | Enforce all criminal laws related to the worst forms of child labor. (11) |

Labor Law Enforcement

In 2017, labor law enforcement agencies in Vanuatu took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor that may hinder adequate labor law enforcement, including the collection of data on labor inspectorate funding, number of labor inspections conducted, and number of child labor violations found.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2016 | 2017 |
|--|----------|-------------|
| Labor Inspectorate Funding | Unknown | Unknown (1) |
| Number of Labor Inspectors | 4 (15) | Unknown (1) |
| Inspectorate Authorized to Assess Penalties | Unknown | Unknown (1) |
| Training for Labor Inspectors | | Unknown (1) |
| Initial Training for New Employees | Yes (15) | Unknown (1) |
| Training on New Laws Related to Child Labor | Unknown | Unknown (1) |
| Refresher Courses Provided | Unknown | Unknown (1) |
| Number of Labor Inspections Conducted | 185 (15) | Unknown (1) |
| Number Conducted at Worksites | 185 (15) | Unknown (1) |
| Number of Child Labor Violations Found | Unknown | Unknown (1) |
| Number of Child Labor Violations for Which Penalties were Imposed | Unknown | Unknown (1) |
| Number of Child Labor Penalties Imposed that were Collected | Unknown | Unknown (1) |
| Routine Inspections Conducted | Yes (15) | Unknown (1) |
| Routine Inspections Targeted | No (15) | Unknown (1) |
| Unannounced Inspections Permitted | Yes (15) | Unknown (1) |
| Unannounced Inspections Conducted | Yes (15) | Yes (1) |
| Complaint Mechanism Exists | Yes (15) | Yes (1) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (15) | Unknown (1) |

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat child labor (Table 7). Gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of information regarding the number of investigations, violations, prosecutions initiated, and convictions.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2016 | 2017 |
|--|---------------|-------------|
| Training for Investigators | | |
| Initial Training for New Employees | Unknown* (11) | Unknown (1) |
| Training on New Laws Related to the Worst Forms of Child Labor | N/A | Unknown (1) |
| Refresher Courses Provided | Unknown (11) | Unknown (1) |
| Number of Investigations | Unknown* (11) | Unknown (1) |
| Number of Violations Found | Unknown* (11) | Unknown (1) |

Vanuatu

MINIMAL ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (cont)

| Overview of Criminal Law Enforcement | 2016 | 2017 |
|---|---------------|-------------|
| Number of Prosecutions Initiated | Unknown* (11) | Unknown (1) |
| Number of Convictions | Unknown* (11) | Unknown (1) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Unknown (11) | Unknown (1) |

* The government does not publish this information.

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. (4)

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 and 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. (15; 16; 1; 17) Research was unable to determine whether this coordinating body was active during the reporting period. |

Although the government has established a National Child Protection Working Group to combat the commercial sexual exploitation of children, research found no evidence that there is a coordinating mechanism to address all forms of child labor. (1)

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 addressing illicit activities.

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|--|--|
| Vanuatu National Child Protection Policy (2016–2026) | Aims to create an environment that protects children from abuse, exploitation, human trafficking, neglect, and violence. Provides children with equitable access to services to support reintegration and recovery when needed. (16) |
| Vanuatu Child Safeguarding Policy (2017–2020)† | Provides guidelines for protecting children from abuse, including child labor, violence, sexual abuse, neglect, and exploitation. Provides a reporting mechanism for identifying and responding to child abuse. (18; 1) |
| Sector Infrastructure Plan | Launched in 2017 with the support from the Stretem Rod Blong Jastis and Sefti (SRBJS) program. (14) |

† Policy was approved during the reporting period.

The National Child Protection Policy aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. However, this policy continues to leave children vulnerable to illicit activities. (16; 1) Research was unable to determine whether activities were undertaken to implement the above listed policies during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that may contribute to preventing child labor, which cover the main sectors where child labor has been identified in the country (Table 10).

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|----------------------|--|
| CFP Review workshop† | MJCS coordinated workshop with UNICEF and Ministry of Youth and Sports Development and Training to ensure that Community Child Protection Committees and community members have the capacity to prevent, identify and respond to child abuse. Twenty-seven people were trained during the workshop. (14) |

† Program is funded by the Government of Vanuatu.

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 – 2017 |
| | Pass the Employment Relations Bill of 2012. | 2016 – 2017 |
| | Establish a minimum age for work of at least 15 years. | 2016 – 2017 |
| | Establish a minimum age for hazardous work as age 18 and identify hazardous occupations and activities prohibited for children. | 2009 – 2017 |
| | 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 – 2017 |
| | Ensure that debt bondage is criminalized. | 2015 – 2017 |
| | Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups. | 2016 – 2017 |
| | Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs. | 2016 – 2017 |
| | Establish by law a compulsory education age that extends to the minimum age for employment. | 2016 – 2017 |
| Enforcement | Establish by law free basic public education. | 2016 – 2017 |
| | Provide information regarding funding to the Labor Inspectorate to enforce laws prohibiting child labor. | 2015 – 2017 |
| | Train labor inspectors on enforcing child labor laws and train criminal investigators on enforcing laws prohibiting the worst forms of child labor, and make the results of these efforts public. | 2014 – 2017 |
| | Publish data on labor law and criminal law enforcement actions taken to address child labor, including its worst forms. | 2012 – 2017 |
| | Strengthen the Labor Inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents. | 2016 – 2017 |
| | Establish referral mechanisms among the Department of Labor, the Vanuatu Police Force, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms. | 2014 – 2017 |
| Coordination | Establish a coordinating mechanism to combat child labor, including its worst forms. | 2012 – 2017 |
| Government Policies | Adopt a policy that addresses all relevant worst forms of child labor, such as the use of children in illicit activities. | 2016 – 2017 |
| | Publish information about the activities that were undertaken to implement the Vanuatu National Child Protection Policy. | 2017 |
| Social Programs | Collect and publish data, such as a national child labor survey, to determine the prevalence and nature of child labor in Vanuatu. | 2014 – 2017 |
| | Increase access to education for children living in remote locations. | 2012 – 2017 |
| | Implement programs to address child labor, specifically in forestry. | 2012 – 2017 |

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