

In 2021, Samoa made moderate advancement in efforts to eliminate the worst forms of child labor.

The government published the results of the Samoa Demographic Health Survey and the Multiple Indicator Cluster Survey 2019–2020, with data on child labor. In

addition, Samoa's Ministry of Commerce, Industry, and Labor, the Samoa Child Labor Task Force, and the International Labor

Organization hosted the Child Labor Forum, in which the Government

of Samoa committed to becoming an Alliance 8.7 Pathfinder Country. However,

children in Samoa are subjected to the worst forms of child labor, including use in illicit

activities, including the production and trafficking of drugs. Children also engage in dangerous tasks in street

work. Furthermore, research found no evidence of laws that prohibit using, procuring, or offering children for

illicit activities, including for the production and trafficking of drugs. In addition, the government did not publicly release information on its labor law enforcement or criminal law enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa are subjected to the worst forms of child labor, including use in illicit activities, including the production and trafficking of drugs. (1) Children also engage in dangerous tasks in street work. (1-8) Table 1 provides key indicators on children's work and education in Samoa. 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	22.1 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	30.4
Primary Completion Rate (%)		111.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. (10)

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	Farming and animal husbandry (1,3)
Services	Domestic work (1,4)
	Street work, including begging and selling food, garlands, and other products (1-8)
	Garbage scavenging (1)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including the production and trafficking of drugs (1)

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

During the reporting period, the government published the results of the Samoa Demographic Health Survey and the Multiple Indicator Cluster Survey 2019–2020. Data were collected from 3,196 households from October 2019 to February 2020. (3,11) According to the survey, almost 14 percent of children ages 5 to 17 engage in child labor, all of them under hazardous conditions. (11)




Children who participate in street vending may work long hours, work late at night, be exposed to exhaust fumes, and have an increased risk of being hit by passing traffic. In addition, street vending, including selling of food, garlands, and other products by children is not prohibited for children under age 18. (1,3,6)

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II. LEGAL FRAMEWORK FOR CHILD LABOR

Samoa 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 Samoa's legal framework to adequately protect children from the worst forms of child labor, including 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	15	Article 51 of the Labor and Employment Relations Act (12)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labor and Employment Relations Act (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 51 of the Labor and Employment Relations Act; Article 21 of the Labor and Employment Relations Regulations; Government of Samoa Public Notice on Hazardous Work for Children (12-14)
Prohibition of Forced Labor	No		Article 8 of the Constitution; Articles 2 and 18 of the Labor and Employment Relations Act; Section 157 of the Crimes Act (12,15,16)
Prohibition of Child Trafficking	Yes		Sections 155–157 of the Crimes Act (16)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 73, 74, 82, and 157 of the Crimes Act (16)
Prohibition of Using Children in Illicit Activities	No		
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		Article 8 of the International Criminal Court Act (17)
Compulsory Education Age	Yes	16	Article 2 (Section 2) of the Education Amendment Act (18)
Free Public Education	No		

† Country has no standing military (17)

Amendments to the Labor and Employment Relations Amendment Act and the Child Care and Protection Bill 2020 are still under government consideration, as a months-long political impasse following the general election during the reporting period stalled legislation in 2021. (3)

The Labor and Employment Relations Regulations permit children between ages 12 and 14 to engage in light work for a limited number of hours. However, they neither specify the conditions under which light work may be undertaken nor define the activities that are permitted. (8,13) In addition, as the minimum age for work is

lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (12,18) The Government of Samoa passed the Education Amendment Act 2019, which raised the compulsory education age to 16. (18)

Research found no evidence of laws that ban using, procuring, or offering of children for illicit activities, including for the production and trafficking of drugs. (19) Samoa does not meet the international standard for prohibiting non-state military recruitment because its International Criminal Court Act does not apply to children ages 15 to 18. (17) Samoa also does not meet the international standard for the prohibition of child commercial sexual exploitation because the Government of Samoa's Crimes Act does not protect children ages 16 to 18. (8,16) In addition, laws prohibiting forced labor are not sufficient because, while they do criminalize forced labor, they do not also criminalize slavery and practices similar to slavery or debt bondage. (12,15,16)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, and Labor (MCIL)	Enforces the Labor and Employment Relations Act, which includes investigating complaints of child labor law violations. (20,21) Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement. (21)
Ministry of Police, Prisons, and Corrections	Enforces criminal laws related to child labor. (3,21)
Office of the Attorney General	Prosecutes criminal cases of the worst forms of child labor. (21)
Ministry of Women, Community, and Social Development	Identifies children in situations of child labor; helps to locate families of the children, schedules home visits, and with the aid of child protection teams, educates families on the importance of attending school and on the risks and hazards of street vending. (22)
Ministry of Education, Sports, and Culture	Enforces the Education Act and assists MCIL with investigations of children suspected of being involved in child labor. (23)

Labor Law Enforcement

In 2021, labor law enforcement agencies in Samoa took actions to address child labor (Table 6). However, gaps exist within the authority of Ministry of Commerce, Industry, and Labor (MCIL) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (24)	Unknown (3)
Number of Labor Inspectors	Unknown (24)	Unknown (3)
Mechanism to Assess Civil Penalties	No (12)	No (12)
Initial Training for New Labor Inspectors	Unknown (24)	Yes (3,23)
Training on New Laws Related to Child Labor	Unknown (24)	N/A (3)
Refresher Courses Provided	Unknown (24)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (24)	Unknown (3)
Number Conducted at Worksite	Unknown (24)	Unknown (3)
Number of Child Labor Violations Found	Unknown (24)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (24)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (24)	Unknown (3)
Routine Inspections Conducted	Unknown (24)	Yes (3)
Routine Inspections Targeted	Unknown (24)	Unknown (3)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Unknown (24)	Unknown (3)

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

Overview of Labor Law Enforcement	2020	2021
Complaint Mechanism Exists	Unknown (24)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (24)	Yes (3)

The MCIL registers complaints about child labor, and the Samoa Police Service refers children found during labor inspections to the NGO Samoa Victim Support Group. (3) The government did not provide additional information on its labor law enforcement efforts for inclusion in this report. While the number of labor inspectors in Samoa is unknown, it is likely insufficient for the size of Samoa's workforce, which includes approximately 54,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Samoa would need to employ roughly 4 labor inspectors. (25,26)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Samoa 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 (24)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (24)	N/A (3)
Refresher Courses Provided	Unknown (24)	Unknown (3)
Number of Investigations	Unknown (24)	Unknown (3)
Number of Violations Found	Unknown (24)	Unknown (3)
Number of Prosecutions Initiated	Unknown (24)	Unknown (3)
Number of Convictions	Unknown (24)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (24)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (24)	Unknown (3)

All new police employees in Samoa undergo a 17-week Basic Recruit Course Program that consists of police training. This training includes modules addressing child labor, including a review of legislation relevant to child labor issues. (23) However, the government did not provide information on its criminal law enforcement efforts for inclusion in this report. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Child Labor Task Force	Comprises the MCIL; Ministry of Police, Prisons, and Corrections; Ministry of Women, Community, and Social Development; and Ministry of Education, Sports, and Culture. Aims to reduce the prevalence of child vendors in towns and cities through patrol sweeps and conducting outreach activities. (21) Formerly the Child Vending Task Force. (21) During the reporting period, MCIL, the Child Labor Task Force, and the ILO hosted a Child Labor Forum aimed at improving coordination of efforts to address child labor. (3)
Transnational Crime Unit	Investigates laws against transnational crimes in the Pacific Region, including on child and human trafficking, drugs and arms smuggling, terrorism, and money laundering. (23,27) Comprises the Ministry of Police, Prisons, and Corrections; the Ministry for Revenue-Customs; and the Ministry of the Prime Minister's Immigration Unit. (28) Active in 2021. (3)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Care and Protection Policy (2020–2030)	Sets a strategic and high-level direction for child protection in Samoa. Led by the Ministry of Women, Community, and Social Development. (3) Includes policies to prevent, eliminate, and address all forms of child labor and child trafficking; and to regulate, monitor, and evaluate child labor in the formal and informal business and employment sectors. (29) During the reporting period, the government worked on a draft Child Care and Protection Bill, with efforts led by the Ministry of Women, Community, and Social Development. In addition, the Ministry of Education, Sports, and Culture commenced a review of laws and regulations on child street vending. (30)
United Nations Pacific Strategy (2018–2022)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. A multinational strategic framework program consisting of 14 South Pacific nations. (31) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (32,33)

During the reporting period, Samoa committed to becoming an Alliance 8.7 Pathfinder Country at the Child Labor Forum hosted by the MCIL, the Samoa Child Labor Task Force, and the ILO. Alliance 8.7 calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (3)

The government has not integrated child labor elimination and prevention strategies into the Strategy for the Development of Samoa or the Education Sector Plan (2019–2024), which detail the Government of Samoa's goals and key outcomes regarding education and development priorities. (24,34)

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.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (32) During the reporting period, UNICEF supported the gathering of data through the Multiple Indicator Cluster Survey to better understand and eliminate child labor. (33)
The Samoa School Fee Grant Scheme and Government Grant to Mission and Public Schools†	Provide financial support to families to assist with ancillary school fees, supplies, and equipment that their child(ren) may need during the school year. (3,35) Active in 2021. (3)
One Government Grant†	Provides direct financial support to Samoan primary and secondary public schools, mission and private schools, and primary schools for students with disabilities and special needs to offset fees normally charged to students. (36,37) Active in 2021. (23)

† Program is funded by the Government of Samoa.

Although the government has implemented educational support programs, research found no evidence that it has carried out programs specifically designed to assist children engaged in commercial sexual exploitation or street vending.

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 Samoa (Table 11).

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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.	2017 – 2021
	Ensure that the law's provisions addressing "light work" are specific enough to prevent children from becoming involved in child labor, including street vending.	2013 – 2021
	Ensure that the law criminally prohibits using, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery or debt bondage.	2021
	Ensure that the law criminally prohibits commercial sexual exploitation of children between ages 16 to 18.	2018 – 2021
	Raise the minimum age for work to the age to which education is compulsory.	2019 – 2021
	Ensure access to free public education.	2020 – 2021
Enforcement	Publish labor law enforcement data for child labor law violations, penalties imposed, and penalties collected for all provinces. In addition, publish information about labor inspectorate funding, the number of labor inspectors, the number of labor inspections conducted at the worksite, whether routine inspections were targeted, whether unannounced inspections were conducted, and whether refresher training courses were provided.	2020 – 2021
	Establish a mechanism to assess civil penalties for child labor violations.	2015 – 2021
	Ensure the number of labor inspectors in Samoa meets the ILO's technical guidance.	2020 – 2021
	Publish criminal law enforcement data for the worst forms of child labor, including the numbers of both routine and unannounced investigations conducted, violations found, prosecutions initiated, convictions made, and penalties imposed. In addition, publish information on whether refresher courses were provided for criminal law investigators and whether reciprocal referral mechanism exists between criminal authorities and social services.	2013 – 2021
Government Policies	Integrate strategies to eliminate and prevent child labor into the Strategy for the Development of Samoa and the Education Sector Plan.	2012 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2021
	Institute programs to address child labor, including in street vending and commercial sexual exploitation of children.	2009 – 2021

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