# Vanuatu

# No Advancement

In 2013, Vanuatu made no advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government continued implementing a policy to mandate National Minimum Standards in Education, a key component of which is child protection. Vanuatu also continued participating in the ILO Decent Work Country Program (DWCP) and the Pacific Policy, Advocacy, Planning, and Evaluation Program (PAPE). However, limited evidence suggests that children are engaged in child labor in agriculture and are found in the worst forms of child labor in commercial sexual exploitation. The Government lacks a complete preventive legal framework, and Vanuatu has not established a minimum age for hazardous work or developed a list of hazardous activities prohibited to children. Vanuatu has not established a coordinating mechanism to combat the worst forms of child labor and does not implement programs to combat the problem.

# Prevalence and Sectoral Distribution of Child Labor

Although data are limited, sources indicate children in Vanuatu engage in child labor in agriculture and are found in the worst forms of child labor in commercial sexual exploitation. Table 1 provides key indicators on children’s work and education in Vanuatu. Data on some of these key indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

|  |  |
| --- | --- |
| **Working children, ages 7 to 14:** | Unavailable |
| **School attendance, ages 5 to 14 (%):** | Unavailable |
| **Children combining work and school, ages 7 to 14 (%):** | Unavailable |
| **Primary completion rate (%):** | 83.6 |

*Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.*([1](#_ENREF_1))

*Source for all other data: Understanding Children’s Work Project’s analysis, 2014.*([2](#_ENREF_2))

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 | Activities unknown\* ([3-5](#_ENREF_3)) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation\* ([6](#_ENREF_6), [7](#_ENREF_7)) |

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

‡ 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. By tradition, children in Vanuatu are expected to assist with agricultural production from a young age.([5](#_ENREF_5))

# Legal Framework on 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 | ✓ |
| 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 relevant 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 | 15 | Employment Act ([8](#_ENREF_8)) |
| Minimum Age for Hazardous Work | No |  |  |
| List of Hazardous Occupations Prohibited for Children | No |  |  |
| Prohibition of Forced Labor | Yes |  | Employment Act, Article 102 of Penal Code ([8](#_ENREF_8), [9](#_ENREF_9)) |
| Prohibition of Child Trafficking | Yes |  | Penal Code ([9](#_ENREF_9)) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes |  | Penal Code ([9](#_ENREF_9)) |
| Prohibition of Using Children in Illicit Activities | No |  |  |
| 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 conscription or no standing military.

The Employment Act establishes the minimum age for employment at 15.It permits children under age 12 to perform light work on farms owned and managed by a family member; however, it does not define what constitutes “light work”.([8](#_ENREF_8)) Children ages 12 through 14 may perform light domestic or agricultural work if a family member is employed with the child. The Act also prohibits children younger than age 16 from working at night and provides restrictions on night work for children between ages 16 and 18.([8](#_ENREF_8)) The Government has not established a minimum age for hazardous work, nor does it have a list of hazardous activities or occupations prohibited to children.([8](#_ENREF_8))

Information was not available on whether there are laws that regulate the use of children in illicit activities such as drug trafficking; however, incitement of another person to any criminal offense is prohibited by the Penal Code.([9](#_ENREF_9)) Vanuatu has no national army; therefore, there is no conscription. The Education Act establishes that for children between ages 6 and 14, it is “the duty of the child’s parents to ensure that the child attends a school.”([10](#_ENREF_10)) However, education is not compulsory at any age.([5](#_ENREF_5)) Free education is not guaranteed by law; the Education Act provides for the assessment of fees.([10](#_ENREF_10)) However, the Government has established a free education policy.([5](#_ENREF_5))

Through the DWCP, the Labor Department of Vanuatu has requested financial assistance from the ILO to prepare new regulations on child labor and to translate the revised Employment Relations Bill into local languages.([11](#_ENREF_11)) The Government has also made labor law reform a key priority and has drafted the new legislation to replace the current Employment Act.([12](#_ENREF_12)) No information on the progress of these efforts was available at the time of reporting.

# 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** |
| Labor Department | Enforce provisions set forth in the Labor Code, including child labor laws. Most recent data from 2012 indicate that the Department employs four labor inspectors.([13](#_ENREF_13)) |
| Vanuatu Police Force | Enforce all criminal laws, including those regarding trafficking and commercial sexual exploitation of children. Also collaborate with the Customs, Immigrations, and Labor Departments.([14](#_ENREF_14)) Based on the most recent data available, the Police Force employs 50 investigators.([14](#_ENREF_14)) |

Research found no evidence that law enforcement agencies in Vanuatu took actions to combat child labor, including its worst forms. Information was not available as to whether the Government collects data on investigations, violations, or prosecutions related to child labor.

# Coordination of Government Efforts on the Worst Forms of Child Labor

Although a committee exists to monitor child rights in Vanuatu and to eliminate commercial sexual exploitation, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including all its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

|  |  |
| --- | --- |
| **Coordinating Body** | **Role & Description** |
| National Children’s Committee (NCC) | Coordinate Government efforts to improve children’s well-being, including eliminating the commercial sexual exploitation of children. The NCC is also responsible for monitoring child protection issues and for creating a comprehensive and integrated agenda for children’s rights.([5](#_ENREF_5), [15](#_ENREF_15), [16](#_ENREF_16)) |

Research found no information regarding the activity of the NCC during the reporting period.

# 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 7).

**Table 7. Policies Related to Child Labor**

|  |  |
| --- | --- |
| **Policy** | **Description** |
| Vanuatu Education Road Map (VERM)\* | Establishes a comprehensive strategic direction for the country’s education sector and specifically supports the goal of achieving universal primary education by 2015. VERM has three strategic goals: to increase equal access to education, including by increasing government grants and phasing out parental contributions; to improve the quality of education; and to improve management of the education system.([17](#_ENREF_17)) |
| Child Protection Policies\* | Train teachers, community members, and parents on child abuse and protection. Trainings were held in 2013 in Sanma province.([18](#_ENREF_18)) As of 2012, the most recent period for which research found information, the policies were being implemented in nine schools reaching almost 2,000 students.([19](#_ENREF_19)) |
| National Minimum Standards in Education\* | Includes a requirement that all primary schools develop and implement Safe School Policies that cover child protection and emergency preparedness.([19](#_ENREF_19)) |

\* The impact of this policy on child labor does not appear to have been studied.

Vanuatu has a free and universal education policy***.*** However, in practice, school fees and lack of physical access to schools are significant barriers to education.([5](#_ENREF_5), [13](#_ENREF_13), [20](#_ENREF_20)) The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor.([10](#_ENREF_10), [21](#_ENREF_21)) Research did not identify any new policies that were launched during the reporting period.

# Social Programs to Address the Worst Forms of Child Labor

In 2013, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

|  |  |
| --- | --- |
| **Program** | **Description** |
| Decent Work Country Program | Program implemented by the ILO and the Government to specify the improvement of youth employment conditions as a priority; it establishes the number and quality of labor inspection reports filed as measurement toward that goal.([11](#_ENREF_11)) |
| Pacific Policy, Advocacy, Planning, and Evaluation Program (PAPE) | Program implemented by UNICEF to support the development of evidence-based social and economic policies promoting the rights of children in the Pacific region.([22](#_ENREF_22)) PAPE also provides technical assistance for collecting data on children’s issues.([22](#_ENREF_22), [23](#_ENREF_23)) |

\* The impact of this program on child labor does not appear to have been studied.

Research uncovered no information on the status of these programs or their accomplishments in 2013. The Government does not appear to have programs that specifically address the worst forms of child labor in Vanuatu, namely commercial sexual exploitation.

# 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 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

|  |  |  |
| --- | --- | --- |
| **Area** | **Suggested Action** | **Year(s) Suggested** |
| Laws | Define “light work” in the Employment Act. | 2009 – 2013 |
| Set the minimum age for hazardous work at 18 and establish a list of hazardous occupations and activities prohibited to children. | 2009 – 2013 |
| Establish a compulsory age for education that is equal to or older than the minimum age for work. | 2009 – 2013 |
| Enforcement | Collect and make publicly available data on investigations, violations, and prosecutions related to the worst forms of child labor. | 2012 – 2013 |
| Government Policies | Explore ways to increase access to schooling and fully implement the policy of free, universal education. | 2012 – 2013 |
| Assess the impact existing education and child protection policies may have on addressing child labor. | 2012 – 2013 |
| Social Programs | Conduct research to determine the prevalence and nature of child labor in Vanuatu, in order to inform policy and program design. | 2013 |
| Implement programs to address the worst forms of child labor, specifically commercial sexual exploitation. | 2012 – 2013 |

1. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children's Work and Education Statistics: Sources and Definitions” section of this report.

2. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received February 13, 2014. 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.

3. *Children in Vanuatu*, Children's Rights Portal, [previously online] December 9, 2012 [cited March 1, 2013]; <http://childrensrightsportal.org/vanuatu> [source on file].

4. U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186318>.

5. U.S. Embassy- Port Moresby. *reporting, January 16, 2014*.

6. U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. May 22, 2013.

7. U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/documents/organization/220453.pdf>.

8. Government of Vanuatu. *Employment Act (Cap 160)*, Act 1 of 1983; Act 20 of 1986, enacted May 30, 1983 (Revised edition 1988). <http://www.ifev.edu.vu/council/empl_act.html>.

9. Government of Vanuatu. *Penal Code*, Chap. 135, enacted August 7, 1981. <http://www.paclii.org/vu/legis/consol_act/pc66/>.

10. Government of Vanuatu. *Education Act*, enacted February 25, 2002. <http://www.paclii.org/vu/legis/consol_act/ea104/>.

11. ILO. *Decent Work Country Programme- Vanuatu (2009-2012)*. Port Vila; July 28, 2009. <http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_155723.pdf>.

12. ILO. *Breakthrough in reforming labour legislation in Vanuatu*. Press Release. Suva; August 16, 2011. <http://www.ilo.org/suva/information-resources/public-information/press-releases/WCMS_160856/lang--en/index.htm>.

13. U.S. Department of State. "Vanuatu," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

14. U.S. Embassy- Port Moresby. *reporting, March 8, 2011*.

15. *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].

16. UNICEF. *Global Study on Child Poverty and Disparities: Vanuatu*. Geneva; 2007. <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCMQFjAA&url=http%3A%2F%2Fwww.unicef.org%2Fpacificislands%2FDARFT_Vanuatu__latest.doc&ei=pO2eT5icGcju0gHU3KyMDw&usg=AFQjCNF8PbukWXhlGhSo55Iqsy9pl8-WCw>.

17. Government of Vanuatu. *Vanuatu Education Road Map*. Canberra; 2009. <http://www.ausaid.gov.au/publications/pages/8652_7694_5075_2266_8206.aspx>.

18. Selmen, H. "Save the Children to Fund Training on Child Protection Around Sanma." Vanuatu Daily Post, Port Vila, August 23, 2013. <http://www.dailypost.vu/content/save-children-fund-training-child-protection-around-sanma>.

19. Save the Children Australia. *Protecting Children in Vanuatu: Project Report*, WorldNomads.com, [online] [cited 2014]; <http://footprints.worldnomads.com/project/66.aspx>.

20. Oxfam New Zealand. *Back to School in Vanuatu*, Oxfam, [online] [cited July 18, 2013]; <http://www.oxfam.org.nz/what-we-do/where-we-work/vanuatu/education>.

21. ILO. *Country Baselines Under the ILO Declaration Annual Review (2000-2010): the Effective Abolition of Child Labour (CL), Vanuatu*. Geneva; 2010. <http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang--en/docName--WCMS_091263/index.htm>.

22. UNICEF Pacific. *A Situation Analysis and Review of UNICEF Pacific's Policy, Advocacy, Planning and Evaluation Programme (PAPE)*. Geneva; May 2010. <http://www.unicef.org/pacificislands/9596_13564.html>.

23. *Policy, Advocacy, Planning and Evaluation (PAPE)*, UNICEF, [online] 2011 [cited November 28, 2013]; <http://www.unicef.org/pacificislands/9596_11759.html>.