

Papua New Guinea

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In 2013, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government and six provincial governments committed to establish Provincial Child Labor Committees to combat child labor at the local level. In July 2013, Parliament passed the People Smuggling and Trafficking in Persons Act; however, the Act has not yet come into force.

Children in Papua New Guinea continue to engage in the worst forms of child labor, particularly in forced domestic service and commercial sexual exploitation. Papua New Guinea does not have a comprehensive list of hazardous occupations from which children are prohibited. Additionally, Papua New Guinea's child labor laws are not effectively enforced, and the lack of compulsory education may increase the risk of children's involvement in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Papua New Guinea are engaged in the worst forms of child labor, particularly in forced domestic service and in commercial sexual exploitation.(1-6) Data on key indicators on children's work and education 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 (%)		Unavailable

Source for primary completion rate: UNESCO Institute for Statistics, 2014.(7)

Source for all other data: Understanding Children's Work Project's analysis, 2014.(8)

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	Working on tea,* coffee,* cocoa,* copra,* oil palm,* and rubber plantations* (1, 2, 9, 10) Domestic service (2, 3, 5, 6, 9, 11-13)
Services	Street work, vending, chopping firewood for sale, moving furniture, loading and unloading boxes from containers, carrying heavy bags of food, scavenging for scrap metal, begging (1-3, 5, 10, 14, 15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including working in bars and night clubs, brothels, and pornography, sometimes as a result of trafficking (2, 3, 5, 9, 10, 12, 13) Unspecified forced labor as a result of trafficking* (2, 3, 10) Forced domestic service (2, 3, 5, 6, 11-13)

* Evidence of this activity is limited and/or 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.

A number of children in urban areas, such as Mount Hagen, work as porters for market taxis and carry extremely heavy loads. Children living in informal settlements on the outskirts of Port Moresby, who have been orphaned by AIDS or abandoned by their families, are particularly vulnerable to this type of employment.(10, 16-18)




Some children working in domestic service are held in indentured servitude in order to pay off family debts.(2, 3, 5, 6, 10, 11, 14) These children work long hours, lack freedom of mobility, do not have access to medical treatment, and do not attend school.(14)

Limited evidence suggests that members of the Papua New Guinea police are responsible for committing acts of sexual violence against children, and for facilitating trafficking by accepting bribes and ignoring victims forced into commercial sexual exploitation or labor.(2-4, 10, 14, 19, 20) There are reports that the threat of sexual violence against young girls, and the shame and stigma that follows this violence, prevents many girls from attending school.(10, 21)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Papua New Guinea has ratified some 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	16	Article 103 of Employment Act (22)
Minimum Age for Hazardous Work	Yes	16	Articles 103 and 104 of Employment Act, Article 6 of Lukautim Pikinini (Child) Act (22)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 43 of Constitution, Criminal Code (23, 24)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Criminal Code, Sexual Offenses and Crimes Against Children Act (23)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	16	Defence Act (25)
Compulsory Education Age	No		
Free Public Education	No		

* No conscription or no standing military.

The minimum age for hazardous work in Papua New Guinea is inconsistent with ILO C. 182, which states that hazardous work by children under the age of 18 should be prohibited. There is no comprehensive list of hazardous work from which children are prohibited, but the Department of Labor and Industrial Relations (DLIR) has been developing one since late 2012 for inclusion in amendments to the Employment Act and the Occupational Safety and Health Act.(2, 4, 10, 12, 14, 15). In addition, DLIR drafted a set of regulations called the National Common Rule, which would cover child labor issues. However, the Government has yet to enact any of this legislation.(10) There is a

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lack of harmony among existing laws and policies on protections against hazardous child labor. For example, the Child Act prohibits and sets penalties for the engagement of a child (defined as a person under age 18) in “harmful child labor,” which includes hazardous work; however, the Employment Act does not prohibit injurious work by 16-, 17-, and 18-year-olds.(10) The Child Welfare Act prohibits street trading by children of any age between the hours of 8 p.m. and 6 a.m., or at any time on a Sunday.(26)

Papua New Guinea does not have legislative provisions for offenses committed against children for the purpose of labor exploitation; laws that explicitly forbid the sale and trafficking of children; or legal instruments that prohibit the use, procuring, or offering of a child for the production and trafficking of drugs.(3, 11, 12, 14, 27, 28) In July 2013, Parliament passed the People Smuggling and Trafficking in Persons Act. Once enacted, the law will criminalize smuggling and trafficking in persons, provide assistance and protection for victims, and augment penalties for smugglers and traffickers such as increased imprisonment for offenses that involve children under the age of 18 years.(20, 29). The law will not come into force until it has been certified by the Speaker of Parliament and endorsed by the Governor General.(20)

Although free education through grade 10 has been Government policy since 2011, and was extended through grade 12 the following year, it is not guaranteed by law; in practice, many schools charged fees for books, uniforms, and other supplies.(10, 24, 30-32) Education is not compulsory, which makes children especially vulnerable to the worst forms of child labor, as they are not required to be in school nor are they allowed to legally work until they are age 16.(4, 15)

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 and Industrialized Relations (DLIR)	Implement and enforce child labor laws. Approximately 30 labor inspectors cover child labor in addition to other labor law violations.(10)
Department of Religion, Youth, and Community Development (DRYC)	Enforce the Lukautim Pikinini (Child) Act of 2009.(10)
Royal Papua New Guinea Constabulary Sexual Offenses Squad	Enforce laws against commercial sexual exploitation of children and use of children in illicit activities.(10)

Law enforcement agencies in Papua New Guinea took actions to combat child labor, including its worst forms.

Labor Law Enforcement

The DLIR Child Labor Unit announced by the Government in 2012 had not yet been established. There were approximately 30 labor inspectors, but according to international observers, this was not enough to enforce child labor laws effectively.(10) No child labor inspections or complaints were pursued. Research did not uncover information on funding or training for any of the relevant agencies during the reporting period.(10) DLIR participated in an effort to raise awareness on child labor at the provincial level of government by explaining DLIR’s ongoing internal initiatives on labor law and enforcement reform. DLIR circulated its draft Child Labor Inspection Form and Child Labor Referral Form for piloting by provincial officials.(33)

Criminal Law Enforcement

There were no prosecutions or convictions of the worst forms of child labor.(10) Through support and funding from IOM, the Government conducted three regional trainings for law enforcement personnel on trafficking in persons.(20) In January 2014, the Government opened an investigation into a possible child trafficking case regarding two girls in a rural village who were unwillingly given in marriage as recompense to the family of a deceased teacher.(20)

Both the ILO Committee of Experts and senior staff at the Department of Religion, Youth, and Community Development have noted that enforcement is ineffective because of inadequate resources and cultural acceptance of child labor.(12, 14, 16, 20, 26) Inadequate technical capacity and coordination among enforcement agencies constitute additional obstacles to effective enforcement.(1, 4, 10, 26)

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

The Government has established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Human Trafficking Committee (NHTC)	Coordinate efforts to combat trafficking in persons. Members include the Office of the Prime Minister and NEC, Department for National Planning and Monitoring, Immigration and Citizenship Service Authority, Customs, Royal Papua New Guinea Constabulary, DLIR, Office of the Public Prosecutor, National Council of Women, Consultative Implementation and Monitoring Council, State Solicitor, Department of Provincial and Local Government Affairs, Department for Community Development, Salvation Army, City Mission/Haus Ruth, Anglicare, Save the Children, World Vision, IOM, UNHCR, UNHCHR, UNICEF, UN Women, and U.S. Embassy Port Moresby.(20)

During the reporting period, the NHTC coordinated logistics for an anti-trafficking seminar that brought together officials from seven government agencies.

Although the Government has established a human trafficking coordinating body, research found no evidence of a mechanism to combat child labor in all of its worst forms. In 2013, the DLIR Child Labor Desk that was to have been established in 2012 to liaise among the relevant agencies was not yet in place.(10) The DLIR chaired a Project Advisory Committee (PAC) on Child Labor for the regional TACKLE child labor project that ended in 2013. As of 2012, DLIR had endorsed the establishment of a new permanent, interagency committee on child labor, but research found no evidence that the Secretary of DLIR has signed the endorsement.(4, 10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Papua New Guinea has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Universal Basic Education Plan 2010–2019*	Aims to ensure that all children complete nine years of basic, quality education from age 6; to reduce poverty through education; and to build Government capacity to manage education.(31) Key objectives include building infrastructure, including more classrooms and staff housing and increased access to safe drinking water and sanitation facilities at school; providing teacher training; providing over-age children access to basic education; and abolishing all school fees by 2015. Plan also includes a goal that the Government will fully fund basic education by 2015.(31, 34, 35)
Vision 2050*	Sets a long-term strategy for Papua New Guinea's socioeconomic development. Pillars of the plan include "Human Capital Development, Gender, Youth, and People Empowerment".(36) Prioritizes education access, knowledge and technology growth, community empowerment, access to credit, bringing more people into the formal economy, and equitable development in rural areas where poverty is highest.(36)
Medium Term Development Strategy 2011–2015*	Establishes a 5-year plan for development, in line with Vision 2050, and including budgets, targets and outputs. (37) Plan designates responsible authorities for implementation. Education and public utility infrastructure improvements given highest priority.(37)

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

There is no overall policy to combat child labor. The National Action Plan on Child Labor (NAP) has been in draft form since 2012. Reportedly, DLIR was finalizing the NAP to submit for Parliamentary approval in early 2014.(4, 10)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

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

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Table 8. Social Programs to Address Child Labor

Program	Description
Decent Work Country Programme 2013–2015†	Implemented by the Government, the Trade Union Congress, and the Employers' Federation through technical assistance from the ILO and cooperation with the Australian Government. Seeks to establish a national employment strategy. Explicitly recognizes the relationship between education and child labor, and prioritizes youth employment services.(38) Concrete measures to be taken include finalizing child labor provisions in the draft Employment Bill and drafting a hazardous work list and the formalization of the Child Labor Unit in DLIR.(38) Key youth employment initiative is to provide business training to out-of-school youth, particularly those who are marginalized or disabled. During the reporting period, the Decent Work strategy paper was finalized.(38)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016. Established by the Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social service delivery for child domestic workers. In 2013, the project disseminated awareness-raising materials and a global report on child domestic workers on the occasion of World Day Against Child Labor.(39)
Tackling Child Labor through Education (TACKLE) project	Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and the Caribbean countries and the Pacific group of states (ACP).(40) Aims to improve government capacity to implement and enforce child labor laws and policy, and to work with social partners and civil society towards these goals.(41) Closed in Papua New Guinea in August 2013 after 6 years of activity. During the reporting period, the project visited six provinces in Papua New Guinea to raise awareness on child labor, provide technical assistance, get input for a national hazardous work list, and raise awareness on draft legislation on child labor.(33) DLIR and six provincial governments committed to establish Provincial Child Labor Committees to combat child labor at the local level.(33) Under TACKLE, the NGOs Mercy Works (in partnership with the Government) and the Young Women's Christian Association implemented direct action programs to empower children working in the markets and living in the informal settlements.(18)
Urban Youth Employment Project*	Partially Government-funded World Bank project to provide training, temporary jobs, and skill development through apprenticeships in a variety of fields and 2-year placements on public works projects. Project targets 13,500 disadvantaged youth in and around Port Moresby.(42) In 2013, 250 youths received pre-employment training and about 50 percent of those were placed in trainee positions; to-date, 1300 youths have received basic life skills training.(42)

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

† Program was launched during the reporting period.

Although the Government has implemented programs in domestic service and among communities vulnerable to street work, research found no evidence that it has carried out programs to assist children in commercial sexual exploitation or agricultural labor.

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 Papua New Guinea (Table 9).

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

Area	Suggested Action	Year(s) Suggested
Laws	Adopt a comprehensive list of hazardous work from which children under age 18 are prohibited.	2009 – 2013
	Reform child labor legislation to conform to international child labor conventions, including by raising the minimum age for hazardous work to 18, and expanding the law to prohibit the abduction, kidnapping, or procurement of children for the purpose of labor exploitation.	2011 – 2013
	Enact the People Smuggling and Trafficking in Persons Act.	2011 – 2013
	Establish a compulsory school age for all children that is equivalent to or greater than the minimum age for work.	2009 – 2013
	Harmonize laws and policies on protections against hazardous child labor.	2013
Enforcement	Provide inspectors with the authority, training, and resources to enforce labor laws and other laws required to protect children from the worst forms of child labor.	2009 – 2013
Coordination	Establish a coordinating mechanism to combat all the worst forms of child labor, in addition to the NHTC's coordination of efforts to combat human trafficking.	2009 – 2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Finalize and implement the draft National Action Plan to Eliminate Child Labor.	2009 – 2013
	Assess the impact that existing policies may have on child labor.	2013
Social Programs	Institute programs that address the worst forms of child labor, with a particular focus on children engaged in commercial sexual exploitation and agricultural work.	2010 – 2013
	Assess the impact that the Urban Youth Employment Project may have on child labor in Papua New Guinea.	2013

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