

*In 2012, Papua New Guinea made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Papua New Guinea established a Child Labor Unit; conducted trainings to sensitize labor inspectors and law enforcement officials to the worst forms of child labor; published a research report on the situation of children in commercial sexual exploitation and working street children in Port Moresby; and worked with the Tackling Child Labor through Education (TACKLE) project to implement a project to prevent and withdraw children from the worst forms of child labor, including the commercial sexual exploitation of children. However, Papua New Guinea does not have a comprehensive list of hazardous occupations from which children are prohibited, 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. Children in Papua New Guinea continue to engage in the worst forms of child labor, particularly in domestic service and commercial sexual exploitation.*



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		Unavailable

**Sources:**

**Primary completion rate:** UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis, 2013.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Papua New Guinea are engaged in the worst forms of child labor, particularly in domestic service and in commercial sexual exploitation.(3-10) Some children working in domestic service are held in indentured servitude in order to pay off family debts.(3, 6-8, 10, 11) These children work long hours, lack freedom of mobility, do not have access to medical treatment, and do not attend school.(6) Children employed as domestic servants may also be required to work long hours, performing strenuous tasks, without sufficient food or shelter. They may be isolated in private homes and are susceptible to physical and sexual abuse.(12)

The commercial sexual exploitation of children in Papua New Guinea typically occurs in bars, nightclubs, and brothels.(7, 9) Although information is limited, there are reports that children are exploited through the production of pornography. There are also reports that children are trafficked both internally and from neighboring countries.(8, 13) 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.(6-9, 14)

Children also work in dangerous activities in agriculture.(4, 5, 7, 15, 16) Although information is limited, there are reports that children in Papua New Guinea work on tea and coffee farms, and on copra, cocoa, and rubber plantations.(7, 9, 16) These children may use dangerous tools, carry heavy loads, apply harmful pesticides, and work long hours.(7, 15)

In urban areas, there are reports of children working on the streets, but specific information on hazards is unknown.(4, 7, 9, 10, 17) In Papua New Guinea street work also includes children chopping firewood for sale, moving furniture, loading and unloading boxes from containers, scavenging for scrap metal, and begging. Children working on the streets work very long hours, work closely around cars and trucks, and are subjected to physical, verbal, and sexual abuse.(7)

### Laws and Regulations on the Worst Forms of Child Labor

The Employment Act sets the minimum age for work at 16.(3, 4, 9) The Act only prohibits children aged 16 and younger from working in industrial undertakings in the fishing and mining industries, or under circumstances that are injurious or likely to be injurious. The minimum age for hazardous work in Papua New Guinea is set to 16.(5) This

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is not consistent with ILO Convention 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) is developing one.(5-7, 9, 13)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	16
	Compulsory Education Age	No
	Free Public Education	Yes

During the reporting period the DLIR also worked on labor law reform, including the revision of the Employment Act. Current revisions to the Employment act aim to address legislative gaps in the child labor laws, supporting the development of a national child labor policy, and in the compilation of a hazardous list.(18) The Government will conduct a formal review of the revised Employment Act before it is given to parliament, but a review committee has yet to be established.(19)

Children ages 11 to 16 may work in family businesses by obtaining medical clearance, parental permission, and a work permit.(7, 20) A permit would not be issued for work considered harmful to the child's health, their physical, mental, or spiritual development or work that interferes with their schooling. Children are prohibited from working between the hours of 6 p.m. and 6 a.m. unless they are between ages 16 and 17 and working for a family business.(21) The Child Welfare Act prohibits street trading by children of any age between the hours of 8 p.m. and 6 a.m.(22)

The Lukautim Pikinini (Child) Act of 2009 prohibits the employment of children in conditions that are likely to be hazardous, interfere with their education, and will be harmful to their overall wellbeing. The Act also prescribes penalties of up to 10 years imprisonment if an individual is found guilty of such an offence.(4, 22-24)

The Constitution prohibits forced labor.(4, 25) The Criminal Code prohibits the use, procurement, or offering of a child less than 18 years of age for the production of pornography or for pornographic performances. The Criminal Code also forbids the abduction, kidnapping, or procurement of girls younger than age 18 for sexual exploitation.(4, 9, 13) In 2002, the Government amended the Criminal Code through the Sexual Offences and Crimes Against Children Act. The amendments include harsher penalties for the sexual assault and sexual exploitation of children, including commercial sexual exploitation.(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, 6, 8, 13, 27) However, the Department of Justice and Attorney General (DJAG), in partnership with the International Organization for Migration, continued to push the newly drafted People Smuggling and Trafficking in Persons Bill through parliament as part of a USDOS-funded project, Combating Trafficking in Persons in Papua New Guinea. The Bill is expected to be presented to Parliament soon.(8, 27-29) If the legislation is passed, it 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.(28)

There is no compulsory military service in Papua New Guinea. The minimum age for voluntary military service is 18, or 16 with parental approval.(4, 30)

In 2011, the Government abolished school fees for students up to grade 10, and introduced subsidies for grades 11 and 12, as well as university and other tertiary colleges.(10, 31) However, 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 and are not allowed to legally work until they are age 16.(5, 9) There is limited evidence that the threat of sexual violence against young girls, and the shame and stigma that follows this violence, prevents many girls from attending school.(32)

## Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Papua New Guinea has established a coordinating mechanism to combat the worst forms of child labor. However, the DLIR is responsible for implementing and enforcing child labor laws, and the Office of the Director for Child Welfare in the Department of Community Development is responsible for enforcing the Lukautim Pikinini (Child) Act.(13, 22) The DLIR established a Child Labor Unit with a Child Labor Desk in 2012, which will liaise with the Employers and Workers Unions and other line agencies.(9)

The DLIR has chaired a Project Advisory Committee (PAC) on Child Labor for the regional TACKLE child labor project since 2008. DLIR has also endorsed the establishment of a new permanent, interagency committee on child labor. The endorsement is pending signature by the Secretary of DLIR.(9)

The Government employs 55 labor inspectors who cover all 19 provinces in the country.(4) They are responsible for enforcing the country's labor laws, including child labor laws.(4, 22) DLIR conducted three workshops in 2012 to sensitize labor inspectors to child labor, particularly its worst forms. DLIR reports that further training is required.(9) Research did not uncover the number of inspections conducted or the number of violations discovered during the reporting period.

The Police Sexual Offenses Squad is responsible for enforcing laws against child commercial sexual exploitation and the use of children in illicit activities.(4) Government authorities did not report investigating, arresting, or prosecuting any trafficking offenders.(8)

In 2012, the DJAG, in partnership with the IOM, as part of the USDOS-funded project, Combating Trafficking in Persons in Papua New Guinea, provided a 2-week counter-trafficking training program for approximately 200 law enforcement officers, civil servants, and NGO workers.(29) DJAG and IOM also launched a mass information campaign to raise awareness of human trafficking in all targeted provinces. The campaign will run for 6 months and include a toll-free counter-trafficking hotline.(29)

Both the ILO Committee of Experts and senior staff at the Department of Community Development have noted that enforcement is ineffective because of inadequate resources and cultural acceptance of child labor.(6, 13, 22) The responsible agencies lack personnel, particularly labor inspectors and police officers. Inadequate technical capacity and coordination among enforcement agencies constitute additional obstacles to effective enforcement.(4, 9, 22)

## Government Policies on the Worst Forms of Child Labor

The Government of Papua New Guinea does not have an overall policy on the Worst Forms of Child Labor. A draft National Action Plan (NAP) for Child Labor was proposed and endorsed in 2012.(9) The endorsed NAP is awaiting technical input before being finalized, and approved by the Secretary of Labor.(9)

The report on "Child Labour in Papua New Guinea: Rapid Assessment in Port Moresby on Commercial Sexual Exploitation of Children (CSEC) and Children Working on the streets" was published in 2011 and launched by the DLIR at a high-level event in April 2012.(7, 18) The results of these data were used to form the basis for discussing and initiating the draft framework for the National Plan of Action for Child Labor, and DLIR cited this report as the definitive source for government statistics on child trafficking.(9, 33)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Papua New Guinea continued to participate in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries. In Papua New Guinea, the project aims to strengthen legal protections and social service delivery for child domestic workers.(34)

The Government of Papua New Guinea continued to participate in the regional project funded by the European Commission called Tackling Child Labor through Education (TACKLE). With a 4-year budget of slightly over \$23 million, TACKLE aims to combat child labor in the Pacific region.(35) In Papua New Guinea, the project objective is 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. TACKLE has been extended until late 2013.(36)

DLIR reported that Papua New Guinea has undertaken a social program in Port Moresby with the Young Women's Christian Association (YWCA) as part of the TACKLE project. The program began in April 2012 and is working to withdraw children involved in child labor and prevent those at risk from becoming involved.(9, 18) This program will also focus on the commercial sexual exploitation of children.(18)

Research found no evidence of any other programs to address the worst forms of child labor for children working on the streets and in commercial sexual exploitation.

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**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Papua New Guinea:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt a comprehensive list of hazardous work from which children under age 18 are prohibited.	2009, 2010, 2011, 2012
	Reform child labor legislation to conform with international child labor conventions, including 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, 2012
	Enact the proposed anti-trafficking legislation.	2011, 2012
	Establish a compulsory school age, for all children, that is equivalent to or greater than the minimum age for work.	2009, 2010, 2011, 2012
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor.	2009, 2010, 2011, 2012
	Make enforcement data on the worst forms of child labor publicly available.	2009, 2010, 2011, 2012
	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, 2010, 2011, 2012
Policies	Finalize and implement the draft National Action Plan to Eliminate Child Labor.	2009, 2010, 2011, 2012
Social Programs	Institute programs that address the worst forms of child labor, with a particular focus on children engaged in street work and in commercial sexual exploitation.	2010, 2011, 2012

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