

In 2017, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted the National Action Plan to Eliminate Child Labor. However, children in Papua New Guinea engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Laws do not specifically define the hazardous occupations and activities prohibited for children. Inadequate resources hamper the Labor Inspectorate’s capacity to enforce child labor laws. In addition, Papua New Guinea lacks a compulsory age for education, and some children face challenges accessing school, which increases 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 engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1; 2) Children also perform dangerous tasks in mining. (3) Table 1 provides key indicators on children’s work and education in Papua New Guinea. 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 (%) | | 77.4 |

Source for primary completion rate: Data from 2012, UNESCO Institute for Statistics, 2018. (4) Data were unavailable from Understanding Children’s Work Project’s analysis, 2018. (5)

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, and palm oil plantations (6) |
| Industry | Mining (3) |
| Services | Domestic work (1; 6) |
| | Street work, including scavenging for recyclables and begging (7; 3) |
| | Work in markets, including unloading and carrying heavy bags of food (8; 2) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, including working in bars, nightclubs, and brothels, and use in the production of pornography, each sometimes as a result of human trafficking (1; 2) |
| | Forced domestic work (1; 2) |
| | Illicit activities (3; 9) |

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

In Papua New Guinea, children are exploited in commercial sex. (1; 10) Some children from rural areas are sent to live with relatives or “host” families in cities, where they may be forced to perform domestic work to pay off family debts. (1; 3; 2)

Research found the threat of gender-based violence prevents many girls from attending school. (11) Although the government has established a free education policy, in practice many schools charge fees for books, uniforms, and other supplies. (12; 13; 14; 15; 16) These barriers to education make affected children vulnerable to the worst forms of child labor.




Papua New Guinea

MINIMAL ADVANCEMENT

II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor (Table 4). However, gaps exist in Papua New Guinea's legal framework to adequately protect children from child labor, including the identification of hazardous occupations or activities prohibited for children and the prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|---|---------------------------------------|-----|--|
| Minimum Age for Work | Yes | 16 | Article 103 of the Employment Act (17) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 54 of the <i>Lukautim Pikinini</i> Act (12) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | No | | |
| Prohibition of Forced Labor | Yes | | Article 43 of the Constitution of the Independent State of Papua New Guinea; Section 208 of the Criminal Code (18; 19) |
| Prohibition of Child Trafficking | Yes | | Section 208 of the Criminal Code (19) |
| Prohibition of Commercial Sexual Exploitation of Children | No | | Articles 229J–229O and 229R–229T of the Criminal Code (20) |
| Prohibition of Using Children in Illicit Activities | No | | |
| Prohibition of Military Recruitment | | | |
| State Compulsory | N/A* | | |
| State Voluntary | Yes | 16 | Section 30 of the Defence Act (21) |
| Non-state | No | | |
| Compulsory Education Age | No | | |
| Free Public Education | No | | |

* No conscription (22)

Papua New Guinea has not determined by national law or regulation the types of hazardous work prohibited for children. The Department of Labor and Industrial Relations (DLIR) has been developing a hazardous work list for several years, but it did not submit the list to the cabinet for endorsement during the reporting period. (23; 24; 25; 3)

According to the Employment Act, children ages 11 to 16 may be allowed to work under certain conditions. The minimum age of 11 for light work is not in compliance with international standards, and the law does not specify the types of activities in which light work is permitted nor the number of hours per week that this work may be undertaken. (17; 26) Papua New Guinea also does not have laws that prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs. (27) The law does not sufficiently protect children from commercial sexual exploitation, as using, procuring, and offering a child for pornographic performances is not criminally prohibited. (20) In addition, the recruitment of children by non-state armed groups is not prohibited.

There is no age up to which education is compulsory in Papua New Guinea, which increases the risk of children's involvement in child labor. Although free education is not mandated by law, there is a policy that sufficiently provides for free basic education. (28; 15; 26)

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 DLIR 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 and Industrial Relations (DLIR) | Implement and enforce child labor laws. (29) |
| Department of Community Development, Religion and Sports | Enforce the <i>Lukautim Pikinini</i> Act, including provisions on child labor and its worst forms. (29) |
| Royal Papua New Guinea Constabulary | Enforce laws against commercial sexual exploitation of children and the use of children in illicit activities. (29) |

Labor Law Enforcement

In 2017, labor law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 6). However, gaps exist within the operations of the DLIR that may hinder adequate enforcement of their child labor laws, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2016 | 2017 |
|--|--------------|-------------|
| Labor Inspectorate Funding | Unknown (24) | Unknown (3) |
| Number of Labor Inspectors | Unknown (24) | 43 (3) |
| Inspectorate Authorized to Assess Penalties | Yes (29) | Yes (3) |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | Unknown (24) | No (3) |
| Training on New Laws Related to Child Labor | N/A | N/A |
| Refresher Courses Provided | Unknown (24) | Unknown (3) |
| Number of Labor Inspections Conducted | Unknown (24) | Unknown (3) |
| Number Conducted at Worksites | 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) | Unknown (3) |
| Routine Inspections Targeted | Unknown (24) | Unknown (3) |
| Unannounced Inspections Permitted | Yes (6) | Yes (3) |
| Unannounced Inspections Conducted | Unknown (24) | Yes (3) |
| Complaint Mechanism Exists | No (24) | Yes (3) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | No (24) | No (24) |

Labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector; however, due to limited capacity, labor inspectors generally respond to specific child labor complaints only. (6; 28; 30) Inadequate resources hamper the Labor Inspectorate's capacity to enforce child labor laws. (3; 31) The number of labor inspectors is likely insufficient for the size of Papua New Guinea's workforce, which includes approximately 3.68 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Papua New Guinea should employ about 245 labor inspectors. (32; 33)

Papua New Guinea

MINIMAL ADVANCEMENT

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Papua New Guinea took actions to combat child labor. (Table 7).

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 | No (30) | Unknown (3) |
| Training on New Laws Related to the Worst Forms of Child Labor | N/A | Unknown (3) |
| Refresher Courses Provided | Yes (34) | Unknown (3) |
| Number of Investigations | 2 (30) | Unknown (3) |
| Number of Violations Found | 4 (30) | Unknown (3) |
| Number of Prosecutions Initiated | 2 (30) | Unknown (3) |
| Number of Convictions | 0 (30) | Unknown (3) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (34; 35) | Unknown (3) |

In 2017, the government did not release labor and criminal statistics related to child labor.

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 and Description |
|--------------------------------------|--|
| National Human Trafficking Committee | Coordinate efforts to combat human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from more than 15 government agencies, NGOs, and international organizations. (36; 37) |

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 integrating child labor elimination and prevention strategies into relevant policies.

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|--|---|
| National Action Plan to Eliminate Child Labor in Papua New Guinea (2017–2020)† | Promotes government coordination to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building. (3; 38) |
| Papua New Guinea Trafficking in Persons National Action Plan (2015–2020) | Seeks to prevent human trafficking, protect victims, and prosecute offenders. (39) |
| Universal Basic Education Plan (2010-2019)* | Promotes enrollment of children in school and aims to improve retention rates to ensure children receive 9 years of basic education. (40) |
| Tuition Fee-Free Policy | Aims to improve access to education by abolishing school fees in grades 1 through 10 and providing subsidies for students in grades 11 and 12. (28; 15; 41) |

† Policy was approved during the reporting period.

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy. (42)

In 2017, the government launched the National Action Plan to Eliminate Child Labor in Papua New Guinea (2017–2020). (43) However, research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, 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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---|---|
| Urban Youth Employment Project (2011–2018)† | Government- and World Bank-funded project that provides youth with training, temporary jobs, and skills development through apprenticeship projects. (44) |
| <i>1-Tok Kaunselin Helpim Lain</i> † | Telephone hotline funded by the Government of Papua New Guinea to report child welfare concerns and physical or sexual violence. (45) |

† Program is funded by the Government of Papua New Guinea.

Research found no evidence that the government carried out programs specifically designed to assist children engaged in commercial sexual exploitation, domestic work, or mining.

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 Papua New Guinea (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|-----------------|--|-------------------|
| Legal Framework | Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol on Trafficking in Persons. | 2014 – 2017 |
| | Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations. | 2009 – 2017 |
| | Raise the minimum age for light work to 13 to comply with international standards, and ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor. | 2015 – 2017 |
| | Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including for the production and trafficking of drugs. | 2014 – 2017 |
| | Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances. | 2016 – 2017 |
| | Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups. | 2016 – 2017 |
| | Establish by law an age up to which education is compulsory that extends to the minimum age for employment. | 2009 – 2017 |
| Enforcement | Publish comprehensive information on labor law enforcement, including Labor Inspectorate funding, and the training that labor inspectors receive, the number and type of inspections conducted, the number of child labor violations found, and the number of violations for which penalties were imposed and collected. | 2014 – 2017 |
| | Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint driven. | 2014 – 2017 |
| | Provide inspectors with the resources necessary to enforce labor laws and other laws that protect children from the worst forms of child labor. | 2009 – 2017 |
| | Establish a referral mechanism between labor and criminal law enforcement authorities and social services agencies to ensure that victims of child labor receive appropriate support services. | 2014 – 2017 |
| | Increase the number of labor inspectors to meet the ILO's technical advice. | 2017 |
| | Institutionalize training for labor inspectors on the worst forms of child labor, including training for new labor inspectors at the beginning of their employment. | 2016 – 2017 |
| Coordination | Publish comprehensive information on criminal law enforcement efforts related to child labor, including training for investigators, and the number of investigations conducted, prosecutions initiated, and convictions. | 2017 |
| | Establish coordinating mechanisms to combat child labor. | 2009 – 2017 |

Papua New Guinea

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|---------------------|--|-------------------|
| Government Policies | Integrate child labor elimination and prevention strategies into the Universal Basic Education Plan. | 2013 – 2017 |
| | Publish information about the activities that were undertaken to implement the National Action Plan to Eliminate Child Labor in Papua New Guinea. | 2017 |
| Social Programs | Increase access to education by instituting programs to address gender-based violence against girls in schools and fully eliminating school-related fees. | 2014 – 2017 |
| | Collect and publish data on the extent and nature of child labor to inform policies and programs. | 2017 |
| | Institute programs that assist children engaged in the worst forms of child labor in all relevant sectors, especially commercial sexual exploitation, domestic work, and mining. | 2010 – 2017 |

REFERENCES

- ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000) Published: 2014. Accessed April 7, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100_COMMENT_ID:3143396:NO.
- U.S. Department of State. Trafficking in Persons Report- 2017: Papua New Guinea. Washington, DC. June 27, 2017. <https://www.state.gov/documents/organization/271344.pdf>.
- U.S. Embassy- Port Moresby. Reporting, January 16, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. <http://data.uis.unesco.org/>. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Port Moresby. Reporting, January 22, 2016.
- Tahana, Jamie. Number of children living on PNG streets increasing. Radio New Zealand International. February 28, 2015. <http://www.radionz.co.nz/international/pacific-news/267390/number-of-children-living-on-png-streets-increasing>.
- ILO-IPEC. Summary of KRA3 - Action Programmes in Papua New Guinea, in TACKLE end-of-project workshop on the achievements and challenges of TACKLE in Papua-New Guinea; July 2-3, 2013. http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/presentation/wcms_217239.pdf.
- Radio New Zealand. Plan to eliminate child labour launched in PNG. March 22, 2017. <https://www.radionz.co.nz/international/pacific-news/327186/plan-to-eliminate-child-labour-launched-in-png>.
- U.S. Department of State. Trafficking in Persons Report- 2016: Papua New Guinea. Washington, DC. June 30, 2016. <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258840.htm>.
- UN Human Rights Council. Summary Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15 (c) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21: Papua New Guinea. February 3, 2016: Report No. A/HRC/WG.6/25/PNG/3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/50/PDF/G1601750.pdf?OpenElement>.
- Government of Papua New Guinea. Lukautim Pikinini Act 2015. Enacted: March 11, 2016. [Source on file].
- Ministry of Education National Executive Council. Achieving Universal Education for a Better Future: Universal Basic Education Plan 2010-2019. January 1, 2010. <https://www.globalpartnership.org/content/papua-new-guinea-universal-basic-education-plan-2010-2019>.
- U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. May 21, 2014.
- Department of Education. TFF Introduction. Government of Papua New Guinea. February 2014. <http://www.educationpng.gov.pg/TFF/index.html>.
- Salmang, Grace Auka and Kil, Lynette. Education Secretary Warns Schools Not to Charge Fees. Pacific Islands Report. 2017. <http://www.pireport.org/articles/2017/01/30/papua-new-guinea-education-secretary-warns-schools-not-charge-fees>.
- Government of Papua New Guinea. Employment Act. Enacted: 1978. <http://www.ilo.org/dyn/travail/docs/1097/Employment%20Act%201978.pdf>.
- . Constitution of the Independent State of Papua New Guinea. Enacted: 1975. http://www.paclii.org/pg/legis/consol_act/cotisopng534/.
- . Criminal Code Amendment Act of 2013, amending Criminal Code of 1974, No. 30. Enacted: July 4, 2014. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98690/117506/F334954182/PNG98690.pdf>.
- . Criminal Code Act 1974, No. 262 of 9999. Enacted: 2002. http://www.paclii.org/pg/legis/consol_act/cca1974115/.
- . Defence Act. Enacted: 1974. http://www.adh-geneve.ch/RULAC/pdf_state/PNG-Defence-Act-da197456.pdf.
- Child Soldiers International. Louder than words: An agenda for action to end state use of child soldiers. 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Papua New Guinea (ratification: 2000) Published: 2014. Accessed April 7, 2014. https://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:13100:0:0::NO:13100:P13100_COMMENT_ID:3143296:NO.
- U.S. Embassy- Port Moresby. Reporting, January 19, 2017.
- ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No.138) Papua New Guinea, (ratification: 2000) Published: June 2017. Accessed November 18, 2017. http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:13100:0:0::NO:P13100_COMMENT_ID:3294217.
- . Observation concerning Minimum Age Convention, 1973 (No. 138) Papua New Guinea (ratification: 2000) Published: 2017. Accessed. http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:13100:0:0::NO:P13100_COMMENT_ID:3294217.
- . Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000) Published: 2012. Accessed April 4, 2016. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100_COMMENT_ID:2700701.
- U.S. Embassy- Port Moresby. Reporting, December 28, 2014.
- . Reporting, January 16, 2014.
- U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. February 17, 2017.
- ILO Committee of Experts. Observation concerning Worst forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea, ratification: 2000, Published: 2017. Accessed November 18, 2017. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100_COMMENT_ID:3294400.
- CIA. The World Factbook . Accessed January 19, 2018. <https://www.cia.gov/library/publications/the-world-factbook/geos/pp.html>. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
- United Nations. World Economic Situation and Prospects, 2018. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.

34. U.S. Embassy- Port Moresby. Reporting, February 13, 2017.
35. Government of Papua New Guinea. Standard Operating Procedures for the Identification, Referral and Prosecution of Human Trafficking Cases in Papua New Guinea. October 2016. [Source on file].
36. U.S. Embassy- Port Moresby. Reporting, February 4, 2015.
37. —. Reporting, January 21, 2014.
38. Department of Labour and Industrial Relations. National Action Plan to Eliminate Child Labour in Papua New Guinea 2017-2020. January 2017. [Source on file].
39. Government of Papua New Guinea. Papua New Guinea Trafficking in Persons National Action Plan. October 2016. [Source on file].
40. —. Universal Basic Education Plan 2010 - 2019. 2009. <http://www.education.gov.pg/quicklinks/documents/ube-plan-2010-2019.pdf>.
41. —. Medium Term Development Plan 2 2016-2017: Pathway to a Responsible Sustainable Future. 2015. <http://www.planning.gov.pg/images/dnpm/pdf/MTDP2.pdf>.
42. U.S. Embassy- Port Moresby official. E-mail communication to USDOL official. June 17, 2018.
43. U.S. Embassy- Port Moresby. Reporting, January 16, 2018.
44. World Bank. Papua New Guinea: Urban Youth Employment Project. August 11, 2013. <http://www.worldbank.org/en/results/2013/08/12/papua-new-guinea-urban-youth-employment-project>.
45. Post-Courier. Telephone Counseling Saving Lives. August 19, 2017. <https://postcourier.com.pg/telephone-counseling-saving-lives/>.