

Vanuatu

During the reporting period, the Government of Vanuatu participated in a project to increase the number and quality of its labor inspections. However, children continue to work in agriculture and are the victims of commercial sexual exploitation. Gaps in the country's legal framework contribute to this problem.

Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor⁵³⁵⁵

Children in Vanuatu are exploited in the worst forms of child labor, many of them in agriculture.⁵³⁵⁶ Children's work in agriculture may involve the use of potentially dangerous machinery and tools, carrying of heavy loads, and the application of harmful pesticides. Children also work in fishing where they are exposed to environmental dangers as well as the risk of drowning and dangerous tools.

Some children are sexually exploited in exchange for cash, transport, food, or other material goods.⁵³⁵⁷ A lack of alternatives for raising cash to pay their school fees pushes some children in the country into prostitution.⁵³⁵⁸

Young girls in Vanuatu are most vulnerable to sexual exploitation for commercial purposes. Younger children, who are recruited by pimps and experienced older sex workers, are believed to be in the greatest demand.⁵³⁵⁹ Child prostitution is on the rise in the country's urban centers and tourist sector, such as Port Vila, where bars, nightclubs, "guest houses," and hotels are used to facilitate interactions between clients and sexual service providers, including children under the age of 18. UNICEF has found that some of Vanuatu's security guards, taxi drivers, hotel workers, and family members of children under age 18 serve as go-

between, making their livings from the islands' child sex business.⁵³⁶⁰ Commercial sexual exploitation of children has also been found to occur in rural areas.⁵³⁶¹

Some evidence shows that trafficking in children occurs in Vanuatu, but the nature and the extent of the problem is unknown.⁵³⁶²




Laws and Regulations on the Worst Forms of Child Labor

The Employment Act establishes the minimum age for employment at 15. It permits children under age 12 to legally perform light agricultural work on farms owned and managed by a family member; however, the Act does not define the term "light work."⁵³⁶³ The Act does restrict children under age 15 from performing work during the night or aboard ships.⁵³⁶⁴ However, the Government of Vanuatu has not established a list of hazardous activities or occupations, nor has it established a minimum age for hazardous work.⁵³⁶⁵

The Penal Code prohibits the use, procurement, or sale of a child below age 18 for prostitution.⁵³⁶⁶ It also prohibits the use of a child for pornographic purposes, though it does not outlaw the sale, distribution, or procurement of child pornography.⁵³⁶⁷ Together, the Employment Act and the Penal Code prohibit slavery, forced or compulsory labor, and trafficking.⁵³⁶⁸



There is no compulsory age for education, nor does the government have a legal obligation to provide free schooling.⁵³⁶⁹ The lack of standards in these two areas may increase the risk of children's involvement in the worst forms of child labor.⁵³⁷⁰

	C138, Minimum Age	No
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	None
	Compulsory Education Age	None
	Free Public Education	No

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Vanuatu has established a coordinating mechanism to combat the worst forms of child labor specifically.

The National Children's Committee is charged with coordinating Government efforts to improve children's well-being, including eliminating the commercial sexual exploitation of children. The Committee also monitors child protection issues and is working to create a comprehensive and integrated agenda for children's rights.⁵³⁷¹

The Labor Department is the primary federal agency responsible for enforcing Vanuatu's child labor laws. The agency currently employs approximately four labor inspectors, who are responsible for a range of issues related to the monitoring and enforcement of the Labor Code.⁵³⁷² This is an insufficient number given the scope of child labor.

In an agreement with ILO signed during the reporting period, the Government set a goal to double the 2008 number of labor inspection reports by 2012. ILO has agreed to provide the Government with targeted skills trainings and will offer other unspecified forms of technical assistance to the Labor Department, the country's Trade Union Council, and Chamber of Commerce.⁵³⁷³

Government Policies on the Worst Forms of Child Labor

During the reporting period, the Labor Department formulated the Decent Work Country Program (DWCP) for Vanuatu with the support of the ILO and the country's Trade Union Council and Chamber of Commerce.⁵³⁷⁴ The DWCP for Vanuatu specifies the eradication of child labor as a priority, and establishes the number and quality of labor inspection reports filed as measurement toward that goal.⁵³⁷⁵ Through the DWCP, the Labor Department 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.⁵³⁷⁶

In March 2009, the Minister of Finance announced Government plans to eliminate primary school fees by January of the following year.⁵³⁷⁷ The fee waiver is not expected to cover students' ancillary expenses, like uniforms, books, and transportation.⁵³⁷⁸ Research did not uncover evidence to determine whether this has been implemented.

The Government participates in UNICEF's Pacific Policy, Advocacy, Planning, and Evaluation Program (PAPE). This regional program supports the development of evidenced-based social and economic policies promoting the rights of children. It also provides technical assistance for data collection on children's issues, which may include child labor.⁵³⁷⁹ There is no evidence that the Government currently collects data on the worst forms of child labor.

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

Research found no evidence of any programs to address the worst forms of child labor.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Uruguay:

IN THE AREA OF LAWS AND LEGISLATION:

- Establish a minimum age for hazardous work.
- Specifically define the term “light work” in the law and establish a list of hazardous occupations and activities for children.
- Establish a compulsory age for education.
- Prohibit the sale, distribution, or procurement of child pornography.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a mechanism to coordinate efforts to combat the worst forms of child labor.
- Increase the number of labor inspectors available to enforce child labor laws and regulations.

IN THE AREA OF POLICY:

- Implement free primary school education for all children.
- Collect data at regular intervals on the nature and prevalence of the worst forms of child labor in the country.

IN THE AREA OF PROGRAMS:

- Implement programs to address the worst forms of child labor.

⁵³⁵⁵ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, 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.

⁵³⁵⁶ Government of Vanuatu and the European Commission, *The Country Strategy & National Indicative Programme: Vanuatu*, 2008, 12; available from http://www.delvut.ec.europa.eu/en/eu_and_country/CSP2008.pdf. See also Oxfam New Zealand, *Back to School in Vanuatu*, [online] [cited July 12, 2010]; available from <http://www.oxfam.org.nz/index.asp?s1=what%20we%20do&s2=where+we+work&s3=pacific&s4=vanuatu&s5=back%20to%20school%20in%20Vanuatu>.

⁵³⁵⁷ Michael Samson, Stephen Kidd, Frank Ellis, Nicholas Freeland, and Bernard Wyler, *Social Protection in the Pacific: A Review of its Adequacy and Role in Addressing Poverty*, Australian Agency for International Development, Australian Government, Canberra, February 2010, 28; available from http://www.unicef.org/pacificislands/AusAID_SP_Study.pdf. See also Social Development

Division, *Pacific Perspectives on the Commercial Sexual Exploitation and Sexual Abuse of Children and Youth*, United Nations ESCAP, 2009, 53, 96-97, 109; available from <http://www.unescap.org/publications/detail.asp?id=1320>. See also UNICEF, UNESCAP, and ECPAT International, *Commercial Sexual Exploitation of Children and Child Sexual Abuse in the Pacific: A Regional Report*, UNICEF Pacific, 2006, 23-25; available from http://www.unicef.org/pacificislands/partners_10989.html. See also U.S. Department of State, “Vanuatu,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eap/136014.htm>.

⁵³⁵⁸ UNICEF, UNESCAP, and ECPAT International, *CSEC and Child Sexual Abuse in the Pacific*, 24. See also ILO, *Country Baselines under the ILO Declaration Annual Review (2000-2010): The Effective Abolition of Child Labour (CL), Vanuatu*, 2010, 155; available from http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/lang--en/docName--WCMS_091263/index.htm.

⁵³⁵⁹ UNICEF, UNESCAP, and ECPAT International, *CSEC and Child Sexual Abuse in the Pacific*, 10, 22. See also UN Economic and Social Commission for Asia and the Pacific, *Pacific Perspectives on the Commercial Sexual Exploitation and Sexual Abuse of Children and Youth*, April 2009; available from <http://www.unescap.org/ESID/GAD/>

Publication/Pacific_Perspectives_Report.pdf. See also UN Committee on the Elimination of Discrimination Against Women, *Concluding Comments of the Committee on the Elimination of the Discrimination Against Women: Vanuatu*, June 11, 2007, 4, 7; available from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N07/375/66/PDF/N0737566.pdf?OpenElement>. See also Anafia Norton, Penelope Taylor, Patrick Vakaoti, Marie Wernham, and Freida M'Cormack, *Protect Me with Love and Care: A Baseline Report for Creating a Future Free from Violence, Abuse and Exploitation of Girls and Boys in Fiji*, UNICEF Pacific, Suva, 2009, 6; available from http://www.unicef.org/pacificislands/partners_10989.html. See also UN Economic and Social Commission for Asia and the Pacific, *Pacific Perspectives*, 95-97.

⁵³⁶⁰ Social Development Division, *Pacific Perspectives on CSEC and CSA*, 30, 58-59, 77. See also UNICEF, UNESCAP, and ECPAT International, *CSEC and Child Sexual Abuse in the Pacific*, 2, 16, 18-19, 26. See also UN Economic and Social Commission for Asia and the Pacific, *Regional Stakeholders' Consultation and Planning Workshop on the Commercial Sexual Exploitation of Children and Child Sexual Abuse in the Pacific: A Pacific Regional Report*, 2008, 12; available from <http://www.unescap.org/publications/detail.asp?id=1323>.

⁵³⁶¹ UNICEF, UNESCAP, and ECPAT International, *CSEC and Child Sexual Abuse in the Pacific*, 27.

⁵³⁶² UN Economic and Social Commission for Asia and the Pacific, *Regional Stakeholders' Consultation and Planning Workshop*, 12.

⁵³⁶³ Government of Vanuatu, *Employment Act*, (May 30, 1983), article 38; available from http://www.paclii.org/vu/legis/consol_act/e128/.

⁵³⁶⁴ *Ibid.*, article 40.

⁵³⁶⁵ *Ibid.*, articles 40-42. See also Norton, Taylor, Vakaoti, Wernham, and M'Cormack, *Protect Me with Love and Care*, 54.

⁵³⁶⁶ Government of Vanuatu, *Penal Code*, (August 7, 1981), articles 101, 101a-c; available from http://www.paclii.org/vu/legis/consol_act/pc66/.

⁵³⁶⁷ *Ibid.*, article 101D.

⁵³⁶⁸ Government of Vanuatu, *Employment Act*, article 7. See also Government of Vanuatu, *Penal Code*, articles 102, 105.

⁵³⁶⁹ ILO, *Country Baselines under the ILO Declaration Annual Review* 156.

⁵³⁷⁰ Government of Vanuatu, *Education Act*, (February 25, 2002), articles 7, 35; available from http://www.paclii.org/vu/legis/consol_act/ea104/. See also ILO, *Country Baselines under the ILO Declaration Annual Review* 156. See also Penny Schoeffel Meleisea and Ellie Meleisea, *The Elimination of All Forms of Discrimination and Violence Against the Girl Child: Situation Paper for the Pacific*

Islands Region, UNICEF Pacific and UNIFEM Pacific, 2007, 14; available from <http://pacific.unifem.org/index.php?cat=2>.

⁵³⁷¹ UNICEF, UNESCAP, and ECPAT International, *CSEC and Child Sexual Abuse in the Pacific*, 32-33. See also UN Committee on the Elimination of Discrimination against Women, *Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women Combined initial, second and third periodic reports of States parties - Vanuatu*, CEDAW/C/VUT/1-3, 2005, 65; available from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/625/04/PDF/N0562504.pdf?OpenElement>.

⁵³⁷² Government of Vanuatu, *Responses to the List of Issues and Questions with Regard to the Consideration of the Combined Initial, Second, and Third Periodic Reports*, [online] 2007, 16; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/c6a272aa78e118e5c12572a4003277dc?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/c6a272aa78e118e5c12572a4003277dc?Opendocument). See also ILO, *Decent Work Country Programme: Vanuatu*, July 2009, 7, 11; available from http://www.ilo.org/asia/whatwedo/publications/lang--en/docName--WCMS_120557/index.htm. See also U.S. Department of State, "Country Reports- 2009: Vanuatu," section 7e.

⁵³⁷³ ILO, *Decent Work Country Programme*, 1, 20-21.

⁵³⁷⁴ *Ibid.*, 11 and 20.

⁵³⁷⁵ *Ibid.*, 20. See also Government of Vanuatu, *Responses to the List of Issues and Questions*, 16.

⁵³⁷⁶ ILO, *Decent Work Country Programme*, 17.

⁵³⁷⁷ Nicolas Berlanga Martinez, *Vanuatu Press Review*, Delegation of the European Commission to Vanuatu, February 12-March 12 2009, 8; available from <http://www.delvut.ec.europa.eu/en/pal/pressreviewmarch1.pdf>.

⁵³⁷⁸ *Ibid.*

⁵³⁷⁹ UNICEF, *Policy, Advocacy, Planning and Evaluation (PAPE)*, [online] 2010 [cited August 24, 2010]; available from http://www.unicef.org/pacificislands/9596_11759.html. See also UNICEF Pacific, *A Situation Analysis and Review of UNICEF Pacific's Policy, Advocacy, Planning and Evaluation Programme (PAPE)*, May 2010, 1; available from http://www.unicef.org/pacificislands/9596_13564.html.