

In 2016, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government approved the Trafficking in Persons National Action Plan and finalized standard operating procedures for identifying and protecting victims of human trafficking, including children. 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. 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) 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 (%)		78.6

Source for primary completion rate: Data from 2012, UNESCO Institute for Statistics, 2016.(3)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(4)

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, palm oil, and rubber plantations (5, 6)
Services	Domestic work (1, 5, 6)
	Street work, including vending, chopping firewood for sale, moving furniture, scavenging for scrap metal, gathering scrap food for pig feed, and begging (5-11)
	Work in markets, including unloading and carrying heavy bags of food (6, 9, 12)
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, 12)
	Forced domestic work (1, 2, 12)

[‡] 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 trafficked within the country for commercial sexual exploitation.(1, 2) 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, 5, 12)

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Research found that the threat of gender-based violence prevents many girls from attending school.(12-14) Although the Government has established a free education policy, in practice many schools charge fees for books, uniforms, and other supplies.(15-18) These barriers to education make affected children vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Papua New Guinea's legal framework to adequately protect children from child labor.

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 (19)
Minimum Age for Hazardous Work	Yes	18	Articles 54 of the <i>Lukautim Pikinini Act</i> (15)
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 (20, 21)
Prohibition of Child Trafficking	Yes		Section 208 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 229J–229O and 229R–229T of the Criminal Code (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	16	Section 30 of the Defence Act (23)
Non-state Compulsory	No		
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (24)

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 in the process of developing a hazardous work list for several years, but did not submit the list to the cabinet for endorsement during the reporting period.(7, 25, 26)

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.(19) 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.(25) The law does not sufficiently protect children from commercial sexual exploitation, as the use, procuring, and offering of a child for pornographic performances is not criminally 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.(10, 18)

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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.(27)
Department of Community Development, Religion, and Sports	Enforce the <i>Lukautim Pikinini</i> Act, including provisions on child labor, including its worst forms.(27)
Royal Papua New Guinea Constabulary	Enforce laws against commercial sexual exploitation of children and the use of children in illicit activities.(27)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Papua New Guinea took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$4,650,000 (6)	Unknown (26)
Number of Labor Inspectors	182 (28)	Unknown (26)
Inspectorate Authorized to Assess Penalties	Yes (27)	Yes (27)
Training for Labor Inspectors		
Initial Training for New Employees	No (6)	Unknown (26)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (6)	Unknown (26)
Number of Labor Inspections	169 (6)	Unknown (26)
Number Conducted at Worksite	169 (6)	Unknown (26)
Number Conducted by Desk Reviews	Unknown (6)	Unknown (26)
Number of Child Labor Violations Found	Unknown (6)	Unknown (26)
Number of Child Labor Violations for Which Penalties were Imposed	Unknown (6)	Unknown (26)
Number of Penalties Imposed that were Collected	Unknown (6)	Unknown (26)
Routine Inspections Conducted	Yes (6)	Unknown (26)
Routine Inspections Targeted	Unknown	Unknown (26)
Unannounced Inspections Permitted	Yes (6)	Yes (6)
Unannounced Inspections Conducted	Yes (6)	Unknown (26)
Complaint Mechanism Exists	No (6)	No
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (6)	No

Labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector; however, due to limited capacity, labor inspectors generally respond only to specific child labor complaints.(6, 10, 29) Inadequate resources hamper the labor inspectorate’s capacity to enforce child labor laws.(25, 26)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Papua New Guinea took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (6)	No (29)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (30)
Number of Investigations	2 (31)	2 (29)
Number of Violations Found	3 (31)	4 (29)
Number of Prosecutions Initiated	0 (31)	2 (29)
Number of Convictions	0 (31)	0 (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (31)	Yes (30, 32)

In 2016, the Government endorsed Standard Operating Procedures (SOPs) to improve the identification and protection of human trafficking victims and to strengthen investigation and prosecution of human trafficking crimes. The SOPs include specific processes for handling child trafficking cases.(30, 32)

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

Although the Government has established a coordination mechanism to combat human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Human Trafficking Committee	Coordinate efforts to combat human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from over 15 government agencies, NGOs, and international organizations.(33, 34)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor in Papua New Guinea	Promotes Government coordination to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building.(35)
Papua New Guinea Trafficking in Persons National Action Plan (2015-2020)†	Seeks to prevent human trafficking, protect victims, and prosecute offenders.(36) Endorsed by the National Executive Council in 2016.(30)
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.(10, 18)

† Policy was approved during the reporting period.

Child labor elimination and prevention strategies do not appear to have been integrated into the Universal Basic Education Plan and Vision 2050.(37, 38) Research did not find information on whether the Government implemented the National Action Plan to Eliminate Child Labor in 2016.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Urban Youth Employment Project† (2011–2016)	Government- and World Bank-funded project that provides youth with training, temporary jobs, and skill development through apprenticeship projects.(39)

† 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 or domestic work.

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

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 – 2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2016
	Ensure that the law establishes a minimum age for light work of at least 13 to comply with international standards, and ensure that the law's light work provisions are specific enough to protect children from involvement in child labor.	2015 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of children for illicit activities, including for the production and trafficking of drugs.	2014 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for pornographic performances.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2016
Enforcement	Publish comprehensive information on labor law enforcement, including inspectorate funding, the number of inspectors and the training they 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 – 2016
	Establish a mechanism to receive child labor complaints.	2015 – 2016
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint driven.	2014 – 2016
	Provide inspectors with the resources necessary to enforce labor laws and other laws that protect children from the worst forms of child labor.	2009 – 2016
	Establish a referral mechanism between labor law enforcement authorities and social services agencies to ensure that victims of child labor receive appropriate support services.	2014 – 2016
	Institutionalize training for investigators on the worst forms of child labor, including training for new labor investigators at the beginning of their employment.	2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Universal Basic Education Plan and Vision 2050.	2013 – 2016
	Implement the National Action Plan to Eliminate Child Labor in Papua New Guinea.	2016
Social Programs	Increase access to education by instituting programs to address sexual violence against girls in schools and fully eliminating school-related fees.	2014 – 2016
	Institute programs that assist children engaged in the worst forms of child labor in all relevant sectors, especially commercial sexual exploitation and domestic work.	2010 – 2016

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