

Vanuatu

NO ADVANCEMENT

In 2013, Vanuatu made no advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government continued implementing a policy to mandate National Minimum Standards in Education, a key component of which is child protection. Vanuatu also continued participating in the ILO Decent Work Country Program (DWCP) and the Pacific Policy, Advocacy, Planning, and Evaluation Program (PAPE). However, limited evidence suggests that children are engaged in child labor in agriculture and are found in the worst forms of child labor in commercial sexual exploitation. The Government lacks a complete preventive legal framework, and Vanuatu has not established a minimum age for hazardous work or developed a list of hazardous activities prohibited to children. Vanuatu has not established a coordinating mechanism to combat the worst forms of child labor and does not implement programs to combat the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although data are limited, sources indicate children in Vanuatu engage in child labor in agriculture and are found in the worst forms of child labor in commercial sexual exploitation. Table 1 provides key indicators on children's work and education in Vanuatu. Data on some of these key 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)	7-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		83.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(1)

Source for all other data: Understanding Children's Work Project's analysis 2014.(2)

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	Activities unknown* (3-5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation* (6, 7)

* Evidence of this activity is limited and/or the 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.

There have been no national surveys of child labor in Vanuatu to determine the nature and prevalence of the problem. By tradition, children in Vanuatu are expected to assist with agricultural production from a young age.(5)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Vanuatu has ratified most 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	15	Employment Act (8)
Minimum Age for Hazardous Work	No		
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Employment Act, Article 102 of Penal Code (8, 9)
Prohibition of Child Trafficking	Yes		Penal Code (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code (9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A*		
Compulsory Education Age	No		
Free Public Education	No		

* No conscription or no standing military.

The Employment Act establishes the minimum age for employment at 15. It permits children under age 12 to perform light work on farms owned and managed by a family member; however, it does not define what constitutes “light work”.(8) Children ages 12 through 14 may perform light domestic or agricultural work if a family member is employed with the child. The Act also prohibits children younger than age 16 from working at night and provides restrictions on night work for children between ages 16 and 18.(8) The Government has not established a minimum age for hazardous work, nor does it have a list of hazardous activities or occupations prohibited to children.(8)

Information was not available on whether there are laws that regulate the use of children in illicit activities such as drug trafficking; however, incitement of another person to any criminal offense is prohibited by the Penal Code.(9) Vanuatu has no national army; therefore, there is no conscription. The Education Act establishes that for children between ages 6 and 14, it is “the duty of the child’s parents to ensure that the child attends a school.”(10) However, education is not compulsory at any age.(5) Free education is not guaranteed by law; the Education Act provides for the assessment of fees.(10) However, the Government has established a free education policy.(5)

Through the DWCP, the Labor Department of Vanuatu 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.(11) The Government has also made labor law reform a key priority and has drafted the new legislation to replace the current Employment Act.(12) No information on the progress of these efforts was available at the time of reporting.

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
Labor Department	Enforce provisions set forth in the Labor Code, including child labor laws. Most recent data from 2012 indicate that the Department employs four labor inspectors.(13)
Vanuatu Police Force	Enforce all criminal laws, including those regarding trafficking and commercial sexual exploitation of children. Also collaborate with the Customs, Immigrations, and Labor Departments.(14) Based on the most recent data available, the Police Force employs 50 investigators.(14)

Research found no evidence that law enforcement agencies in Vanuatu took actions to combat child labor, including its worst forms. Information was not available as to whether the Government collects data on investigations, violations, or prosecutions related to child labor.

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

Although a committee exists to monitor child rights in Vanuatu and to eliminate commercial sexual exploitation, research found no evidence that the committee functions as a coordinating mechanism to address child labor, including all its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Children's Committee (NCC)	Coordinate Government efforts to improve children's well-being, including eliminating the commercial sexual exploitation of children. The NCC is also responsible for monitoring child protection issues and for creating a comprehensive and integrated agenda for children's rights.(5, 15, 16)

Research found no information regarding the activity of the NCC during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 7. Policies Related to Child Labor

Policy	Description
Vanuatu Education Road Map (VERM)*	Establishes a comprehensive strategic direction for the country's education sector and specifically supports the goal of achieving universal primary education by 2015. VERM has three strategic goals: to increase equal access to education, including by increasing government grants and phasing out parental contributions; to improve the quality of education; and to improve management of the education system.(17)
Child Protection Policies*	Train teachers, community members, and parents on child abuse and protection. Trainings were held in 2013 in Sanma province.(18) As of 2012, the most recent period for which research found information, the policies were being implemented in nine schools reaching almost 2,000 students.(19)
National Minimum Standards in Education*	Includes a requirement that all primary schools develop and implement Safe School Policies that cover child protection and emergency preparedness.(19)

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

Vanuatu has a free and universal education policy. However, in practice, school fees and lack of physical access to schools are significant barriers to education.(5, 13, 20) The lack of standards in this area may increase the risk of children's involvement in the worst forms of child labor.(10, 21) Research did not identify any new policies that were launched during the reporting period.

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

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

Table 8. Social Programs to Address Child Labor

Program	Description
Decent Work Country Program	Program implemented by the ILO and the Government to specify the improvement of youth employment conditions as a priority; it establishes the number and quality of labor inspection reports filed as measurement toward that goal.(11)
Pacific Policy, Advocacy, Planning, and Evaluation Program (PAPE)	Program implemented by UNICEF to support the development of evidence-based social and economic policies promoting the rights of children in the Pacific region.(22) PAPE also provides technical assistance for collecting data on children's issues.(22, 23).

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

Research uncovered no information on the status of these programs or their accomplishments in 2013. The Government does not appear to have programs that specifically address the worst forms of child labor in Vanuatu, namely commercial sexual exploitation.

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 Vanuatu (Table 9).

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

Area	Suggested Action	Year(s) Suggested
Laws	Define "light work" in the Employment Act.	2009 – 2013
	Set the minimum age for hazardous work at 18 and establish a list of hazardous occupations and activities prohibited to children.	2009 – 2013
	Establish a compulsory age for education that is equal to or older than the minimum age for work.	2009 – 2013
Enforcement	Collect and make publicly available data on investigations, violations, and prosecutions related to the worst forms of child labor.	2012 – 2013
Government Policies	Explore ways to increase access to schooling and fully implement the policy of free, universal education.	2012 – 2013
	Assess the impact existing education and child protection policies may have on addressing child labor.	2012 – 2013
Social Programs	Conduct research to determine the prevalence and nature of child labor in Vanuatu, in order to inform policy and program design.	2013
	Implement programs to address the worst forms of child labor, specifically commercial sexual exploitation.	2012 – 2013

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