

SAMOA

MODERATE ADVANCEMENT

In 2023, Samoa made moderate advancement in efforts to eliminate the worst forms of child labor.

In January 2023, Samoa's Labor and Employment Relations Amendment Act was endorsed by Parliament.

The Amendment empowers labor inspectors to conduct unannounced inspections and took effect in February 2024. The government also approved the National Strategy and Action Plan toward the Elimination of Child

Labour in All Its Forms, which outlines strategies to strengthen the legal and policy framework related to preventing child labor. Additionally, the government released the results of its 2022 Labor Force Survey, which included interviews with over 60,000 children and information about child labor in the country. However, Samoa lacks laws that prohibit using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	12.6% (6,567)
Boys		15.0%
Girls		10.0%
Urban		5.0%
Rural		14.1%
Hazardous Work by Children	15 to 17	38.1% (4,283)
Boys		47.5%
Girls		28.1%
Urban		25.7%
Rural		40.9%
Attending School	5 to 14	93.7%
Combining Work and School	7 to 14	14.0%

Children in Samoa are subjected to the worst forms of child labor, including handling and/or transporting heavy loads, working at dangerous heights, and exposure to high temperatures. Children also engage in child labor in agriculture.

Overview of Children’s Work by Sector and Activity



Agriculture

Farming and animal husbandry.



Services

Street work, including vending, garbage scavenging, and domestic work.



Categorical Worst Forms of Child Labor‡

Handling and/or transporting heavy loads; working at dangerous heights; and exposure to high temperatures.

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



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Samoa's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ratify the Palermo Protocol on Trafficking in Persons.

Establish by law free basic public education.

Ensure that the Labor and Employment Relations Regulations specify the conditions under which light work may be undertaken and define the activities that are permitted.

Ensure that the types of work that children perform in Samoa, including street work and vending, are prohibited for children under age 18.

Ensure that the law criminally prohibits using, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs.

Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.

Ensure that the law criminally prohibits commercial sexual exploitation of children ages 16 to 18.

Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery or debt bondage.

Enforcement

Publish information on criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.

Social Programs

Institute programs designed to address child labor in street work, including vending.



CHILDREN AT HIGHER RISK

Samoa's 2022 Labor Force Survey found that males living in rural areas are at a higher risk of engaging in child labor, compared to females and to children who live in urban areas.













BARRIERS TO EDUCATION ACCESS

Children in rural areas face barriers accessing education due to a lack of reliable transportation options. Additionally, parents with little to no income may not be able to afford to send their children to school.



LEGAL FRAMEWORK FOR CHILD LABOR

Samoa has not ratified key international conventions concerning child labor, including the Palermo Protocol on Trafficking in Persons. In addition, Samoa's laws and regulations do not meet international standards on the prohibition on slavery, debt bondage, and forced labor; or the prohibition on commercial sexual exploitation of children.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 16 Years		Provision 32, Subsection 1 and 2 of the Labor and Employment Relations Amendment
Minimum Age for Hazardous Work, 18 Years		Provision 32, Subsection 3 of the Labor and Employment Relations Amendment
Identification of Hazardous Occupations or Activities Prohibited for Children		Provision 32, Subsection 3 of the Labor and Employment Relations Amendment; Article 21 of the Labor and Employment Relations Regulations; Government of Samoa Public Notice on Hazardous Work for Children
Prohibition of Slavery, Debt Bondage, and Forced Labor		Article 8 of the Constitution; Provision 10 of the Labor and Employment Relations Amendment; Section 157 of the Crimes Act
Prohibition of Child Trafficking		Sections 155–157 of the Crimes Act
Prohibition of Commercial Sexual Exploitation of Children		Sections 73, 74, 82, and 157 of the Crimes Act
Prohibition of Using Children in Illicit Activities		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†	
Minimum Age for Voluntary State Military Recruitment	N/A†	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 8 of the International Criminal Court Act
Compulsory Education Age, 16 Years		Article 2 (Section 2) of the Education Amendment Act
Free Public Education		

† Country has no standing military

In January 2023, Samoa's Labor and Employment Relations Amendment was endorsed by Parliament and took effect in February 2024. The Amendment empowers labor inspectors to conduct unannounced inspections and permits children between ages 13 and 14 to engage in light work for a limited number of hours; however, as with previous versions, it did not specify the conditions under which light work may be undertaken and furthermore did not define the activities that are permitted. The types of hazardous work prohibited for children do not cover street work, including vending. In addition, there is no free basic education for children in Samoa as established by law, increasing the risk of children's involvement in child labor.

Laws prohibiting forced labor are not sufficient because, while they do criminalize forced labor, they do not also criminalize slavery and practices similar to slavery or debt bondage. Samoa does not meet the international standard for the prohibition of child commercial sexual exploitation, because the Government of Samoa's Crimes Act does not protect children ages 16 to 18. Research found no evidence of laws that ban using, procuring, or offering of children for illicit activities, including for the production and trafficking of drugs. Samoa also does not meet the international standard for prohibiting non-state military recruitment because its International Criminal Court Act does not apply to children ages 15 to 18.



ENFORCEMENT OF LAWS ON CHILD LABOR

It is unknown whether enforcement agencies in Samoa took actions to address child labor in 2023.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Commerce, Industry, and Labor (MCIL): Enforces the Labor and Employment Relations Act, which includes investigating complaints of child labor law violations. Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement.

Ministry of Police, Prisons, and Corrections Services: Enforces criminal laws related to child labor. Refers cases for prosecution.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	N/A
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	No
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	N/A

In 2023, 8 labor inspectors conducted 155 worksite inspections, but found 0 child labor violations. The government did not conduct investigations into suspected cases of the worst forms of child labor or prosecute and convict perpetrators.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Samoa established a mechanism to coordinate its efforts to address child labor.</p>	<p>Child Labor Taskforce: Comprises the MCIL; Ministry of Police, Prisons, and Corrections; Ministry of Women, Community, and Social Development; and Ministry of Education, Sports, and Culture. Aims to reduce the prevalence of child vendors in towns and cities through patrol sweeps and by conducting outreach activities. Formerly the Child Vending Task Force. During the reporting period, the Taskforce, along with other government stakeholders, launched the National Strategy and Action Plan toward the Elimination of Child Labor in All Its Forms.</p>
<p>Key Policies Related to Child Labor</p> <p>Samoa established policies that are consistent with relevant international standards on child labor.</p> <p><i>† Policy was developed during the reporting period.</i></p>	<p>National Strategy and Action Plan toward the Elimination of Child Labour in All Its Forms (2024–2027):[†] Outlines strategies to strengthen the legal and policy framework related to child labor, strengthen community engagement with families and children identified as engaged in hazardous street vending, and enhance data collection and regular reporting systems. During the reporting period, The National Acton Plan was formulated during a national consultation with stakeholders and through consultation with the ILO.</p> <p>National Child Care and Protection Policy (2020–2030): Sets a strategic and high-level direction for child protection in Samoa. Led by the Ministry of Women, Community, and Social Development. Includes policies to prevent, eliminate, and address all forms of child labor and child trafficking, as well as to regulate, monitor, and evaluate child labor in the formal and informal business and employment sectors. During the reporting period, the Ministry held a forum with civil society organizations and community representatives to raise awareness on children's rights in Samoa.</p>

Coordination, Policies, and Programs (Cont.)

Key Social Programs to Address Child Labor

Samoa funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate because they do not assist children engaged in street work, including vending.

† Program is funded by the Government of Samoa.

The Samoa School Fee Grant Scheme and Government Grant to Mission and Public Schools:†

Provide financial support to families to assist with ancillary school fees, supplies, and equipment that their children may need during the school year. These grants were active during the reporting period, with the Government of Samoa distributing approximately \$6.5 million in funding for education.

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports