



# VANUATU

## MINIMAL ADVANCEMENT

In 2023, Vanuatu made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Vanuatu funded the School Grant Program, which provides funding directly to schools to help offset education costs. However, despite this effort, Vanuatu does not provide for compulsory and free basic education in its laws. Vanuatu also lacks a referral mechanism between criminal authorities and social services providers. Finally, research was unable to determine whether the National Child Protection Working Group, Vanuatu's primary forum for exchanging information on child protection and the commercial sexual exploitation of children, was active during the reporting period.



## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Vanuatu are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in forestry, including logging.

### Overview of Children's Work by Sector and Activity



#### Agriculture

Forestry, including logging.



#### Services

Street work, including vending.



#### Categorical Worst Forms of Child Labor<sup>‡</sup>

Commercial sexual exploitation, sometimes as a result of human trafficking, and forced labor in domestic work, logging, and street vending.

<sup>‡</sup> 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 Vanuatu's implementation of its international commitments to eliminate the worst forms of child labor.

### Legal Framework

Ratify the Palermo Protocol on Trafficking in Persons.

Raise the minimum age for hazardous work from age 15 to age 18, to comply with international standards and determine the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.

Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the activities and hours per week that are allowed.

Include heightened penalties in the law for the use of children in illicit activities, including in the production and trafficking of drugs.

Criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Establish by law provision of free basic public education and establish age 14 as the compulsory education age to match the minimum age for work.

### Enforcement

Publish information on labor law and criminal law enforcement efforts, including information related to funding, the number and type of inspections conducted, violations found, and penalties imposed and collected.

Employ at least 3 labor inspectors to ensure adequate coverage of the labor force of approximately 107,500 workers, and train labor inspectors and criminal investigators on anti-human trafficking and enforcement of child labor laws.

**Suggested Government Actions to Eliminate Child Labor (Cont.)**

Strengthen coordination and sufficiently fund referral mechanisms between *Kastom* (an informal method individuals use to settle disputes), the Department of Labor, the Vanuatu Police Force, the Vanuatu Tourism Office, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.

Ensure that the Child Desk (under the Ministry of Justice and Community Services) has adequate financial and human resources to develop and integrate national planning initiatives for child protection policies.

Formalize the complaint mechanism that reports and responds to children labor concerns and publicize information about the mechanism's activities.

**Coordination**

Ensure that the National Child Protection Working Group takes meaningful action to implement policies to prevent and eliminate child labor.

**Government Policies**

Implement the National Child Protection Policy and publish the results from activities implemented on an annual basis.

Fund and implement policies as intended to address all relevant worst forms of child labor, including the commercial sexual exploitation of children.

Ensure that social services providers and civil society organizations are registered and follow a standard set of procedures in providing care to vulnerable children.

**Social Programs**

Collect and publish data on the extent and nature of child labor to inform policies and programs, including in logging and street vending.

Increase access to education for all children, including those with disabilities, by expanding teacher training, increasing access for remote students, and improving access to facilities.

Implement and fund social programs to address child labor in forestry, street work, and commercial sexual exploitation.



**CHILDREN AT HIGHER RISK**

Traffickers exploit children through the interfamilial cultural practice, or method of paying off debts, called "child swapping," in which family members send children to live with relatives or other families in town; these children are at an increased risk of exploitation, including human trafficking.













**BARRIERS TO EDUCATION ACCESS**

Due to a lack of accessible buildings and specialized teaching skills, children with disabilities face acute challenges to accessing education. Additionally, as a nation of small islands, geographic barriers and transportation difficulties limit education access for children living in remote locations.



**LEGAL FRAMEWORK FOR CHILD LABOR**

Vanuatu has not ratified key international conventions concerning child labor, including the Palermo Protocol on Trafficking in Persons. In addition, Vanuatu's laws and regulations do not meet international standards on the minimum age for hazardous work, identification of hazardous occupations or activities prohibited for children, or the prohibition of using children in illicit activities.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>14 Years</b>		Sections 38 and 39 of the Employment Act
Minimum Age for Hazardous Work, <b>15 Years</b>		Section 40 of the Employment Act
Identification of Hazardous Occupations or Activities Prohibited for Children		Section 40 of the Employment Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		Sections 7 and 78(2) of the Employment Act; Section 102 of the Penal Code; Sections 2, 34, and 35 of the Counter Terrorism and Transnational Organized Crime Act
Prohibition of Child Trafficking		Section 35 of the Counter Terrorism and Transnational Organized Crime Act
Prohibition of Commercial Sexual Exploitation of Children		Sections 101B–D of the Penal Code; Sections 2 and 35 of the Counter Terrorism and Transnational Organized Crime Act
Prohibition of Using Children in Illicit Activities		Section 35 of the Penal Code
Minimum Age for Voluntary State Military Recruitment	N/A†	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†	
Prohibition of Military Recruitment by Non-state Armed Groups		
Compulsory Education Age		
Free Public Education		Section 41 of the Education Act 2014

† Country has no standing military

Vanuatu's hazardous work prohibitions do not comply with international standards that require all children under age 18 to be protected from work that could jeopardize their health and safety, and Vanuatu does not determine by law the types of hazardous work prohibited for children. In addition, the Employment Act permits children under the age of 12 to perform light work in agricultural undertakings owned and managed by their own families, without requiring that the undertaking not have other employees and be for local consumption only; the Employment Act also permits children ages 12 and 13 to work in light agricultural work and domestic work, but it does not specify the activities or hours per week that are allowed. Furthermore, the Penal Code does not include heightened penalties for inducing children to engage in illicit activities, including in drug production and drug trafficking. Vanuatu also lacks free education by law and a compulsory education policy, increasing the risk of children's involvement in child labor.



## ENFORCEMENT OF LAWS ON CHILD LABOR

It is unknown whether enforcement agencies in Vanuatu took actions to address child labor in 2023. In addition, research indicates that the lack of human and financial resources may have hindered enforcement efforts.

### Agencies Responsible for Child Labor Law Enforcement

**Department of Labor:** Enforces provisions set forth in the Employment Act, including child labor laws. Empowered to issue "spot fines" if any person or company is found to be in violation of the country's labor laws.

**Vanuatu Police Force:** Enforces all criminal laws related to the worst forms of child labor and collaborates with the Vanuatu Tourism Office to address commercial sexual exploitation of children. Prosecutes child labor cases.

### 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	Unknown
Routinely Conducted Worksite Inspections	Unknown	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, it is **unknown** how many labor inspectors conducted worksite inspections or whether child labor violations were found. It is also **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted or whether prosecutions were initiated.



### COORDINATION, POLICIES, AND PROGRAMS

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Vanuatu established a mechanism to coordinate its efforts to address child labor. However, the government did not report specific activities undertaken during the reporting period.</p>	<p><b>National Child Protection Working Group:</b> Serves as the primary forum for exchanging information on child protection and the commercial sexual exploitation of children. Chaired by the Director General of the Ministry of Justice and Community Services, and comprises representatives from the government, UN agencies, civil society organizations, and NGOs.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Vanuatu established policies related to child labor. However, the government did not provide information about actions taken to implement the National Child Protection Policy.</p>	<p><b>National Child Protection Policy (2016–2026):</b> Aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. Provides children with equitable access to services supporting reintegration and recovery when needed.</p> <p><b>Education and Training Sector Strategic Plan (2021–2030):</b> A strategic plan to strengthen the education sector in Vanuatu, including the education budget and monitoring of expenses. Provides access to education to all children in Vanuatu. Implements quality infrastructure based on needs. Reduces the number of out-of-school children and identifies children studying at the incorrect grade level. The program was active and supported by the government during the reporting period.</p>

**Coordination, Policies, and Programs (Cont.)****Key Social Programs to Address Child Labor**

Vanuatu funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors and in all states where child labor has been identified, including in forestry, street work, and commercial sexual exploitation.

*† Program is funded by the Government of Vanuatu.*

*‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.*

**National Child Protection Referral Pathway:** Defines the roles of different stakeholders and service providers for support provided to children, such as psychosocial support, access to healthcare, and access to safety and justice. In 2023, the Ministry of Justice and Community Services partnered with Save the Children Vanuatu to promote the Pathway in Sanma Province by hosting a 2-day training in order to increase the knowledge and skills of all provincial child protection stakeholders.

**School Grant Program:**<sup>†</sup> Funded by the Government of Vanuatu's Ministry of Education; provides funding directly to schools. The funds support students of all grade levels, including students in Years 1 through 14, to offset education costs. The grant program was active in 2023, with funds being disbursed to schools in three installments throughout the year.

For information about USDOL's projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)

For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)