

Samoa

Selected Statistics and Indicators on Child Labor

Percent of children 5-14 estimated as working:	Unavailable
Minimum age for admission to work:	15 ³⁶⁷¹
Age to which education is compulsory:	14 ³⁶⁷²
Free public education:	No ³⁶⁷³
Gross primary enrollment rate in 2004:	100% ³⁶⁷⁴
Net primary enrollment rate in 2004:	90% ³⁶⁷⁵
Percent of children 5-14 attending school:	Unavailable
As of 2000 percent of primary school entrants likely to reach grade five:	94% ³⁶⁷⁶
Ratified Convention 138:	No ³⁶⁷⁷
Ratified Convention 182:	No ³⁶⁷⁸
ILO-IPEC participating country:	No ³⁶⁷⁹

Incidence and Nature of Child Labor

Children are frequently found working as street vendors in Apia, Samoa's capital.³⁶⁸⁰ Children in rural areas work on village farms, and those who do not work willingly may be compelled to do so by village chiefs (*matai*).³⁶⁸¹ Children also work as domestics in private homes, and may perform tasks that are potentially injurious or not suited to their physical capacities.³⁶⁸²

Child Labor Laws and Enforcement

The law sets the minimum age of employment at 15, except for safe and light work suited to the capacity of the child, as determined by the Commissioner of Labor. Children under 15 may not work on dangerous machinery, in any occupation or place under working conditions likely to be harmful to their physical or moral health, or on any vessel not under the personal charge of his or

³⁶⁷¹ Government of Samoa, *Labour and Employment Act*, (1972), Article 32; available from http://www.pacii.org/ws/legis/consol_act/laea1972228/.

³⁶⁷² U.S. Department of State, "Samoa," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78789.htm>.

³⁶⁷³ Ibid.

³⁶⁷⁴ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

³⁶⁷⁵ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

³⁶⁷⁶ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org/>.

³⁶⁷⁷ ILO, *Ratifications by Country*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/english/cvlistE.htm>.

³⁶⁷⁸ Ibid.

³⁶⁷⁹ ILO, *IPEC Action Against Child Labour Highlights 2006*, Geneva, October 2006, 30; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20061013_implementationreport_eng.pdf.

³⁶⁸⁰ U.S. Department of State, "Country Reports- 2006: Samoa," Section 6d.

³⁶⁸¹ Ibid., Sections 6c and 6d.

³⁶⁸² UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Initial Report of States Parties Due in 1996*, November 1, 2005, 90; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/7a53d58f695d3bf1c125715c0037ae04/\\$FILE/G0640507.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/7a53d58f695d3bf1c125715c0037ae04/$FILE/G0640507.pdf).

her parent or guardian.³⁶⁸³ Since Samoan labor laws cover only employees with a fixed place of employment, the government has not determined whether street vending and other outdoor work by children is illegal.³⁶⁸⁴ Violations of child labor laws are punishable by fines.³⁶⁸⁵ The minimum age for work is inconsistent with the age to which schooling is compulsory (14 years). This inconsistency may result in children dropping out of school to work.

Samoan law prohibits forced or compulsory labor, but this provision does not cover work or service required by Samoan custom.³⁶⁸⁶ The crime of conspiring to induce a female of any age into sexual relations with any male is punishable by up to 5 years of imprisonment.³⁶⁸⁷ Soliciting or procuring a female of any age for prostitution as well as benefiting from the earnings thereof are crimes punishable by 3 years of imprisonment.³⁶⁸⁸ Abduction of any child under 16, or taking away or detaining a woman or girl with intent to cause her to have sexual relations with anyone, is punishable by up to 7 years of imprisonment.³⁶⁸⁹ Kidnapping any person with the intent to transport the individual out of the country or hold the individual for service is a crime punishable by up to 10 years of imprisonment.³⁶⁹⁰

The Ministry of Labor refers complaints of illegal child labor to the Attorney General for enforcement. No cases of child labor were prosecuted during 2006, the most recent year for which such information is available.³⁶⁹¹

Current Government Efforts to Eliminate the Worst Forms of Child Labor

Research has not identified any policies or programs by the Government of Samoa to address exploitive child labor.

³⁶⁸³ *Labour and Employment Act*, Article 32.

³⁶⁸⁴ U.S. Department of State, "Country Reports- 2006: Samoa," Section 6d.

³⁶⁸⁵ *Labour and Employment Act*, Article 41.

³⁶⁸⁶ *Constitution of the Independent State of Western Samoa*, (January 1, 1962), Article 8; available from http://www.pacii.org/ws/legis/consol_act/cotisows1960535/.

³⁶⁸⁷ Government of Samoa, *Crimes Ordinance*, (December 16, 1961), Articles 55 and 58; available from http://www.pacii.org/ws/legis/consol_act/co1961135/.

³⁶⁸⁸ *Ibid.*, Article 58.

³⁶⁸⁹ *Ibid.*, Article 83B.

³⁶⁹⁰ *Ibid.*, Article 83A.

³⁶⁹¹ U.S. Department of State, "Country Reports- 2006: Samoa," Section 6d.