

Tonga 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Tonga during the year.

There were no credible reports of significant human rights abuses.

The government took credible steps to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected these rights. While the largest media outlet in Tonga was owned by the government, multiple independent news outlets existed which regularly released reports critical of the government and fact-checked government claims.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Independent media were active and expressed a wide variety of views without restriction, although some self-censorship occurred among journalists.

Media outlets reported on political developments and high-profile court cases, but privately owned media exercised self-censorship when covering high-profile individuals.

The board of the state-owned Tonga Broadcasting Commission appointed internal censors to review all its programming prior to broadcast, but the extent of their reviews was unknown. Journalists and media watchdogs

remained concerned about the implications for media independence of regulations on the unlawful provision of false and misleading information and on noncompliance with license conditions, including a regulation imposing a significant fine for publishing or broadcasting sensitive information.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right to form and join independent unions, but the government did not promulgate regulations on the formation of unions, collective bargaining, or the right to strike. No law specifically prohibited antiunion discrimination or provided for reinstatement of workers fired for union activity. There was no dispute resolution mechanism in place specifically for labor disputes, although persons could take cases to court or refer cases to the Office of the Ombudsman. The law did not include a right to collective bargaining and there were no reports it occurred.

The government did not take effective action to implement and enforce the law, but employers generally respected freedom of association. Penalties for legal violations included criminal fines, which were not commensurate with those under other laws involving denials of civil rights, such as discrimination. Penalties were seldom applied. Administrative and judicial procedures were subject to lengthy delays and appeals.

Trade unions and a variety of other worker associations existed. For example, the Friendly Islands Teachers Association and the Tonga Nurses Association were legally incorporated as civil society organizations, and the Friendly Islands Seafarer's Union Incorporated was affiliated with the International Transport Workers Federation. The Public Service Association acted as a de facto union representing all government employees.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

There was no minimum wage, but the Ministry of Economic Trade and Development set minimum wage guidelines.

The law established a 40-hour workweek but did not provide for overtime pay or for at least three paid holidays. Some employers, including some government offices, paid their workers overtime, and most provided paid holidays.

Occupational Safety and Health

The law stipulated occupational safety and health (OSH) standards for each

sector, such as fisheries and agriculture. These standards were appropriate for main industries and covered persons in domestic service. By law, protected workers could remove themselves from situations that endangered health or safety without jeopardizing their employment.

Wage, Hour, and OSH Enforcement

The Ministry of Trade and Economic Development was responsible for all aspects of labor law enforcement, including in the informal sector, but did not do so effectively. The government did not have inspectors to enforce compliance or prevent violations. Penalties for violations were not commensurate with those for similar crimes, such as fraud or negligence, and were rarely applied against violators. An Employment Relations Bill, specifying wage and safety rights for workers and giving greater enforcement resources to the Ministry of Trade and Economic Development, passed in 2020 but was still pending Royal Assent.

A large proportion of the population was in the informal sector, specifically in agriculture and small-scale manufacturing, but official figures for the size of the informal economy were not available.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of

government authorities.

Prolonged Detention without Charges

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court, and the government generally observed these requirements.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, and there were no credible reports that government officials employed them.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The legal minimum age for marriage was 15, but boys and girls ages 15-17 required parental consent to marry. No data was available on enforcement of the law. According to international civil society network Girls Not Brides, 3 percent of boys and 10 percent of girls married before age 18. According to Girls Not Brides and other nongovernmental organizations, child marriages were a result of several factors driven by inequality between men and women. Some young girls were compelled by parental pressure to marry men who raped them to prevent family shame. Teenage pregnancy forced others to marry to preserve family honor.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection to a small number of refugees and asylum seekers.

Provision of First Asylum

The law did not provide for granting asylum or refugee status, and the government had not established a system for providing protection to refugees. The principal immigration officer had wide discretionary powers under immigration laws and could allow noncitizens to remain in the country, including on humanitarian grounds.

d. Acts of Antisemitism and Antisemitic Incitement

There was no known resident Jewish community, and there were no known reports of antisemitic incidents.