

In 2019, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment and Human Resources took steps to draft regulations related to light work for children and on the types of hazardous work prohibited for children. However, although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. Existing laws do not identify hazardous occupations and activities prohibited for children and do not prohibit the domestic trafficking of children. In addition, the government has not adopted a national policy to combat the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. (1,2) Table 1 provides key indicators on children's work and education in Kiribati. Data on some of these 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)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		100.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (3)

Data were unavailable from International Labor Organization's analysis, 2020. (4)

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	Cutting toddy palm trees for toddy (1)
	Fishing and harvesting clams (1)
Industry	Construction, cargo loading, and seafaring (1,2,4,5)
Services	Street work, including vending and working in kava bars (1,2,4)
	Domestic work (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation aboard fishing vessels (2,5)

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

The government did not collect or publish data on child labor in 2019. (2) During the reporting period, evidence indicated that a small number of underage girls were allegedly engaged in commercial sexual exploitation with crewmembers from foreign fishing vessels. In exchange, the girls received cash, alcohol, food, and goods. (2,5)




Children face barriers to accessing education, including associated costs and a lack of schools in remote areas. (1,4) In addition, most children with disabilities do not have access to education. (6)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kiribati has ratified all key international conventions concerning child labor (Table 3).

MINIMAL ADVANCEMENT

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 laws and regulations related to child labor (Table 4). However, gaps exist in Kiribati's legal framework to adequately protect children from the worst forms of child labor, including identification of hazardous occupations or activities prohibited for children and the prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 115 of the Employment and Industrial Relations Code (7)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 244 and 249 of the Penal Code; Sections 118(1)(a, c, d) and 122 of the Employment and Industrial Relations Code (7,8)
Prohibition of Child Trafficking	No		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (7,9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136 and 141–142 of the Penal Code; Sections 118(1)(f), 118(1)(g), and 118(2) of the Employment and Industrial Relations Code (7,8)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code; Sections 118(1)(h) and 118(1)(i) of the Employment and Industrial Relations Code (7,8)
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	Yes		Sections 118(1)(e) of the Employment and Industrial Relations Code (7)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (10)
Free Public Education	Yes		Section 11 of the Education Act (10)

† No standing military

The government has not identified by national law or regulations the types of hazardous work prohibited for children. Under Article 116 of the Employment and Industrial Relations Code, the laws do not specify the activities and hours of work per week that are acceptable for children engaged in light work, or the conditions under which light work can be undertaken. (7) However, during the reporting period, the Ministry of Employment and Human Resources (MEHR) drafted and is reviewing the types of hazardous work prohibited and the regulations relating to light work for children. (2) Also, Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit the domestic trafficking of children. (7,9) In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (7,10)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the MEHR that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Human Resources (MEHR)	Enforces labor laws, including those related to child labor. (11)
Kiribati Police Force	Enforces criminal laws related to the worst forms of child labor. (2) Investigates cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit. There were no cases reported or investigated in 2019. (12)
Child Protection Officer, Ministry of Women, Youth and Social Affairs (MWYSA)	Removes children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. (11,13) Assists with the implementation of the Children, Young People and Family Welfare Act. (14) Coordinates the Safenet referral system. (2,5)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Kiribati took actions to combat child labor (Table 6). However, gaps exist within the operations of the MEHR that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (5)	\$10,000 (2)
Number of Labor Inspectors	3 (15)	3 (2)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (2)
Initial Training for New Labor Inspectors	Yes (15)	Yes (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	No (2)
Number of Labor Inspections Conducted	133 (15)	133 (2)
Number Conducted at Worksite	133 (15)	Unknown (2)
Number of Child Labor Violations Found	0 (15)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (15)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (15)	Unknown (2)
Routine Inspections Conducted	Yes (15)	Yes (2)
Routine Inspections Targeted	No (15)	No (2)
Unannounced Inspections Permitted	Yes (5)	Yes (2)
Unannounced Inspections Conducted	Yes (15)	Yes (2)
Complaint Mechanism Exists	Yes (5)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (2)

During the reporting period, the government had resource and capacity constraints that restricted all services and activities. Although the number of labor inspectors meets the ILO's technical advice, the government's limited ability to inspect and report on child labor issues was further affected by geographical distances, isolation, sparse population, and Internet connectivity challenges. (2,5)

The government has a standard operating procedure that outlines how to conduct labor inspections and includes a checklist template that requires information on the ages of all workers. (2,5) The government did not provide information on the number of inspections conducted at worksites, the number of child labor violations found, penalties imposed, or penalties collected for inclusion in this report.

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Kiribati took actions to combat child labor (Table 6). However, gaps exist within the operations of the Kiribati Police Force that may hinder adequate criminal law enforcement, including refresher courses for criminal investigators.

Kiribati

MINIMAL ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (15)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (5)	Unknown (2)
Number of Investigations	Unknown (5)	0 (2)
Number of Violations Found	Unknown (5)	0 (2)
Number of Prosecutions Initiated	Unknown (5)	0 (2)
Number of Convictions	Unknown (5)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	N/A (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (2)

The government did not provide information on refresher courses provided for inclusion in this report. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Kiribati National Human Rights Taskforce (KNHRT)	Coordinates national UN reports. (5) MEHR and MWYSA are members. (2,15) During the reporting period, KNHRT coordinated information and completed its national report for the Universal Periodic Review in January 2020. (12)
Child Protection Working Group*	Coordinates child protection issues with MWYSA. Oversees the implementation of the Child, Young People and Family Welfare Act. (2,14) This coordinating body was active in 2019. (2,12)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including coverage of all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Children, Young People, and Families Welfare System Policy, 2013	Focuses on strengthening the welfare system, in part, by implementing services to prevent the abuse, violence, neglect, and exploitation of children and young people, including in hazardous labor. (13) This policy was active during the reporting period. (2)
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (16) During the reporting period, UNICEF supported the Kiribati government in finalizing child protection inter-agency guidelines and referral pathways, training service providers on the guidelines and 20 government social welfare officers in child protection social work, and developing police procedures for child victims. (17)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,18)

During the reporting period, the Government of Kiribati continued to support all existing anti-child labor policies; however, research found no evidence of a policy that focuses specifically on combating the worst forms of child labor. (2,5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that included the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Multi-country program in 14 Pacific Island countries. (19) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (19)
Safenet†	MWYSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (11,20) This program was active during the reporting period. (2)
Hotlines†	MWYSA- and police-supported 24-hour hotline for children to report violations, request information, or obtain access to services. (20) This program was active during the reporting period. (2)

† Program is funded by the Government of Kiribati.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,5)

During the reporting period, through the 2016–2019 Educational Sector Strategic Plan and the Kiribati Education Improvement Program, the government continued to work to improve school infrastructure and standards. (5,21,22) In addition, in 2019, the Government of Kiribati, in collaboration with the Government of Australia and UNICEF, improved learning spaces, access, and sanitation at schools. (2)

Although the government has implemented the Safenet and Hotlines programs to assist children in exploitative and abusive situations, research found no evidence that the government has carried out programs specifically designed to assist children who are working in construction and street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Kiribati (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2011 – 2019
	Ensure that the law specifies the activities and number of hours of work per week that are acceptable for children engaged in light work, and the conditions under which children can engage in light work.	2015 – 2019
	Ensure that the law specifically prohibits the domestic trafficking of children.	2015 – 2019
Enforcement	Strengthen the labor inspectorate by ensuring sufficient resources to support labor law enforcement activities and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2019
	Collect and publish data on the enforcement of labor laws, including on the number of inspections conducted at worksites, violations found, penalties imposed, and penalties collected.	2018 – 2019
	Institutionalize training on child labor laws for labor inspectors and criminal investigators, including providing refresher courses.	2017 – 2019
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor in all sectors to inform policies and programs.	2017 – 2019
	Implement programs to address the issue of commercial sexual exploitation of young girls with crew members from foreign fishing vessels.	2018 – 2019
	Enhance efforts to eliminate barriers to education, and make education accessible for all children by alleviating school fees and increasing access to schools in remote locations.	2014 – 2019
	Ensure that children with disabilities are given access to education.	2018 – 2019
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2019

MINIMAL ADVANCEMENT

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