

In 2015, Kiribati made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Occupational Safety and Health Act, which includes a list of hazardous work prohibited for children under age 18. It ratified the UN CRC on Armed Conflict and the UN CRC on the Sale of Children, Child Prostitution and Child Pornography. However, children in Kiribati are engaged in the worst forms of child labor, including in commercial sexual exploitation. Existing laws fail to fully protect children under age 18 from all forms of commercial sexual exploitation. In addition, the Government did not make sufficient efforts to provide services to children engaged in commercial sexual exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kiribati are engaged in the worst forms of child labor in commercial sexual exploitation.(1-3) 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)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		112.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(4)
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

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* (3)
	Fishing* and harvesting clams* (3)
Services	Street vending* and entertaining in bars* (3, 6-8)
	Construction* and portering* (3, 8)
	Seafaring* (3, 8, 9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3, 8, 9)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

In Kiribati, a small number of minors are reported to be engaged in commercial sexual exploitation, particularly in hotels and bars.(10) Evidence suggests that the crew members of foreign fishing vessels accounts for much of the demand for children in the commercial sex sector.(1, 2, 11) Girls are reported to receive financial support, food, alcohol, or goods in exchange for sexual services.(2)

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While education is free and compulsory for all children until age 15, children face barriers to accessing education due to prohibitive costs of education and the lack of schools in remote areas.(1)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

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

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 on child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Section 115 of the Employment and Industrial Relations Act (12)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Act (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Occupational Safety and Health Act (13)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Sections 244 and 249 of the Penal Code; Sections 118(a–d) and 122 of the Employment and Industrial Relations Act (12, 14, 15)
Prohibition of Child Trafficking	Yes		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(b) of the Employment and Industrial Relations Act (12, 16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136, 141, and 142 of the Penal Code; Sections 118(f) and 118(g) of the Employment and Industrial Relations Act (12, 14)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code; Sections 118(h) and 118(i) of the Employment and Industrial Relations Act (12, 14)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	16	Section 7 of the Education Act (17)
Free Public Education	Yes		Section 11 of the Education Act (17)

† No standing military (18)

In 2015, the Government passed the Occupational Safety and Health Act, which includes a list of hazardous work prohibited for children under age 18.(13) The Government also passed the Employment and Industrial Relations Act, which maintains the minimum age for employment at 14 and the minimum age for hazardous work at 18. The Act also sets 12 as the minimum age for light work, but does 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.(12) It also prohibits the use, procurement, and offering of children in illicit activities, including the production and trafficking of drugs.(12)

During the year, the Government ratified two international conventions on child labor: the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.(19, 20)

Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit trafficking children domestically.(16) The laws related to the commercial sexual exploitation of children are insufficient because they do not prohibit financially benefitting from the use of children for prostitution or possessing and distributing child pornography.(12, 14)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Resources Development	Enforce labor laws, including those related to child labor.(13)
Kiribati Police Force	Enforce criminal laws related to the worst forms of child labor. Investigate cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit.(6)
Kiribati Director of Public Prosecutions	Take responsibility for criminal prosecutions, including those related to the worst forms of child labor.(22)
Child Protection Officer, Ministry of Women, Youth and Social Affairs (MWYSA)	Remove children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. Bring children in need of care and protection to the Court Magistrate to ensure their health and safety.(13, 23)
Court Magistrate	Issue care and protection orders for children who have been harmed, including as a result of sexual exploitation and harsh or exploitative labor.(23)

Labor Law Enforcement

In 2015, labor law enforcement agencies in Kiribati took action to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown (22, 24)	\$360,000 (13)
Number of Labor Inspectors	7 (24)	7 (13)
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown (24)	Unknown (13)
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown (24)	Unknown (13)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (24)	Unknown (13)
■ Number of Penalties Imposed That Were Collected	Unknown (24)	Unknown (13)
Routine Inspections Conducted	Unknown	Unknown
■ Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	No (24)	No (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

In 2015, the Government, in collaboration with the ILO, assessed the capacity of the labor inspectorates to implement the new labor laws, particularly on labor inspector training.(13, 25) The Ministry of Labor (MOL) and Human Resources Development labor officers conducted an unknown number of labor inspections.(13) The MOL has no dedicated labor inspectors but has seven

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labor officers, six of whom are based in the capital city, Tarawa, and they are tasked with conducting inspections.(6, 13) The MOL does not have an adequate number of officers to provide inspection services.(13)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Kiribati took action to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Yes (26)	N/A
■ Refresher Courses Provided	Unknown	Yes (27)
Number of Investigations	0 (24)	0 (13)
Number of Violations Found	Unknown (24)	Unknown (13)
Number of Prosecutions Initiated	Unknown (24)	Unknown (13)
Number of Convictions	Unknown (24)	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

In 2015, the Ministry of Women, Youth and Social Affairs conducted training and workshop sessions for police officers, public prosecutors, and social welfare officials on implementing the Children, Young People, and Family Welfare Act, which establishes the referral mechanisms and support services available for children who have been abused and exploited.(27)

The Government does not employ investigators to specifically enforce laws dealing with the worst forms of child labor.(13)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although mechanisms exist to coordinate Government efforts to improve the welfare of children, the Government has not established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Secretary of MWYSA	Coordinate Government authorities and other stakeholders to respond to abuse, neglect, and exploitation of children and young people.(23)
Kiribati National Advisory Committee on Children	Implement the UN CRC, with regard to the worst forms of child labor. Members include the MOL, the Ministry of Education, and the Kiribati police.(13)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Kiribati has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
Children, Young People, and Families Welfare System Policy	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.(28)
UNDAF for the Pacific Region (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(29) In Kiribati, includes initiatives to prevent and respond to abuse and exploitation of children.(30)
Education Sector Strategic Plan (2012–2015)*	Establishes goals to guide the planning and delivery of high-quality and relevant education for all children. Includes providing conducive learning environments in schools and professional development for teachers and staff.(31)
The Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region	Commits signatories to advancing efforts to protect children's rights, including pertaining to child labor, child trafficking, and child pornography.(32)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2015, the Government developed a draft action plan to eliminate the worst forms of child labor.(33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Kiribati funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Pacific Sub-Regional Child Labor and Trafficking Program	ILO-supported program that expands the work and lessons learned from its TACKLE program in Fiji to Kiribati, Samoa, and Solomon Islands.(8) Activities include facilitating meetings, conducting research, raising awareness, providing trainings, and building government capacity to address child labor.(34) In April 2015, representatives from Kiribati participated in the Program forum, which brought together national policymakers from five countries to discuss best practices for addressing child labor and trafficking issues.(8)
Safenet‡	MWYSA-coordinated program that allows government, churches, and NGOs to collect data, share information, and provide assistance to child victims found in exploitative and violent situations.(13)
Hotlines‡	MWYSA-supported 24-hour hotline for children to report violations, request information, or obtain access to services.(6) Domestic Violence and Sexual Offenses unit operates two 24-hour phone-line services for reporting exploitation and abuse.(21)
Awareness-raising Radio Broadcasts	MWYSA-operated weekly radio program and workshops with community and educational leaders to address child protection issues, including the commercial sexual exploitation of children.(21, 27)
Kiribati Educational Improvement Program	Multipartner aid program to provide greater protection and educational opportunities to children through policy and legislative review, workforce development, improvement of school curriculum, and infrastructure development in the education sector. Partners include the Government of Kiribati, Australian Agency for International Development, UNICEF, and UNESCO.(35)

‡ Program is funded by the Government of Kiribati.

In July 2015, Kiribati participated in the ILO Sub-Regional Skills and Livelihood Training for Older Out-Of-School Children in Child Labor or At Risk in the Pacific. The training focused on highlighting opportunities to develop the skills of children under age 18 who are at risk of engaging in child labor, as well as identifying opportunities to mainstream skill development initiatives into existing social programs.(36)

During the reporting period, the ILO released the results of the Rapid Assessment on Child Labor in Tarawa, conducted by ILO-IPEC and the Government in 2012.(3)

Although Kiribati has programs that target the commercial sexual exploitation of children, these programs are insufficient to fully address the scope of the problem. Specifically, the Government does not have programs that offer targeted services to victims.(2)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law specifies the activities and number of hours of work per week that are acceptable for children engaged in light work, as well as, the conditions under which children can engage in light work.	2015
	Ensure that the law specifically prohibits the trafficking of children domestically.	2015
	Ensure that the law prohibits financially benefiting from the use of children in prostitution and distributing and possessing child pornography.	2015
Enforcement	Collect and publish data on the enforcement of child labor laws, including the number of labor inspections conducted, child labor violations found, and penalties imposed. Collect and publish data on the enforcement of criminal laws prohibiting the worst forms of child, including the number of violations found, prosecutions initiated, and convictions completed.	2012 – 2015

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure employment of an adequate number of labor inspectors and police officers; allocate sufficient resources to investigate child labor violations, including the worst forms of child labor.	2010 – 2015
	Establish a mechanism for child labor complaints.	2015
Coordination	Establish a mechanism to coordinate the Government's efforts to combat child labor, including its worst forms.	2013 – 2015
Policies	Integrate child labor elimination and prevention strategies into policies that seek to prevent and respond to child exploitation.	2014 – 2015
Social Programs	Implement programs to alleviate the financial burden of education and to increase access to schools in remote locations.	2014 – 2015
	Implement programs to sufficiently identify and serve victims of commercial sexual exploitation of children.	2009 – 2015

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