

In 2014, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. It continued initiatives to raise awareness about child protection issues, including commercial sexual exploitation. The Government also trained police and prosecutors on trafficking in persons. However, children in Kiribati are engaged in the worst forms of child labor, including in commercial sexual exploitation. The law does not prohibit hazardous occupations or activities for children, and 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 (%)		115.2

Source for primary completion rate: Data from 2008, 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
Services	Street vending* (6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking* (1, 3, 8)

\* 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.(9) Evidence suggests that crewmembers of foreign fishing vessels account for much of the demand for children in the commercial sex sector.(1, 3, 10, 11) Girls are reported to receive financial support, food, alcohol, or goods in exchange for sexual services.(3)

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 lack of schools in remote areas.(1)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kiribati has ratified most key international conventions concerning child labor, including its worst forms (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 related to 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 85 of the Employment Act (12)
Minimum Age for Hazardous Work	Yes	18	Section 87(1) of the Employment (Amendment) Act (13)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Sections 244 and 249 of the Penal Code; Section 75 of the Employment Act (12, 14, 15)
Prohibition of Child Trafficking	Yes		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136, 141, and 142 of the Penal Code (14)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code (14)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Section 7 of the Education Act (17)
Free Public Education	Yes		Section 11 of the Education Act (17)

†No standing military (18)

The law does not prohibit hazardous occupations and/or activities for children. With the support of the ILO, the Government has drafted a hazardous list, but it has not yet been approved by the Decent Work Agenda Steering Committee.(1, 2) Legislation that criminalizes human trafficking is limited to international movement of people, not domestic trafficking of humans.(3, 16) Laws prohibiting commercial sexual exploitation do not extend to male children ages 15 to 17. The legal framework also lacks explicit prohibitions on child pornography. The law fails to protect children ages 15 to 17 from use in illicit activities.(14)

If passed, the Employment and Industrial Relations Act would prohibit commercial sexual exploitation for all children under age 18, child pornography, and the use of children for illicit activities.(1) The Juvenile Bill, which is also awaiting parliamentary approval, will address child abuse, violence, sexual abuse, child labor, and commercial exploitation of children.(2, 19)

### 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 (MOL)	Enforce labor laws, including those related to child labor. Refer child labor cases to the Ministry of Women, Youth, and Social Affairs (MWYSA).(6)
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 specialized Domestic Violence and Sexual Offenses Unit.(6) Refer cases requiring protective services for minors to the MWYSA.(6)
Kiribati Director of Public Prosecutions	Responsible for criminal prosecutions, including those related to the worst forms of child labor.(20)
Director and Social Welfare Officers, 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.(21)
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.(21)

Law enforcement agencies in Kiribati took actions to combat child labor, including its worst forms, during the reporting period.

### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Human Resources Development's (MOL) labor officers conducted inspections. MOL does not have dedicated labor inspectors but has seven labor officers, six of whom are based in the capital city of Tarawa, tasked with conducting inspections.(2, 6) The MOL does not have adequate manpower to provide inspection services and did not provide training on the enforcement of child labor during the reporting period.(6)

Information on the number of inspections conducted during the reporting period is not available.(2) During the reporting period, there were no reports of violations of child labor laws, and there were no reports of children being removed or assisted. However, the MOL does not keep records of the number of child labor violations, penalties, fines, or children assisted as a result of inspections.(2)

### *Criminal Law Enforcement*

In 2014, the Kiribati Police Force conducted anti-human trafficking training for police and prosecutors to learn how to identify victims, enforce, and prosecute crimes involving the trafficking of persons.(2) The Ministry of Women, Youth, and Social Affairs (MWYSA) provided training to magistrates on implementing the Children, Young People and Family Welfare Law in order to enhance the care and protection of child victims of human trafficking.(8) The Government does not employ investigators to specifically enforce laws dealing with the worst forms of child labor.(2) During the reporting period, there were no reports of investigations, prosecutions, or convictions for crimes involving the worst forms of child labor.(2, 8)

## **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 6).

**Table 6. 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.(21)
Kiribati National Advisory Committee on Children	Implement the Convention on the Rights of the Child, including with regard to the worst forms of child labor. Members include the MOL, Ministry of Education, and Kiribati police.(2)

## **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 7).

# Kiribati

## MINIMAL ADVANCEMENT

**Table 7. 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 the forms of sexual abuse and hazardous labor.(22)
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.(23) In Kiribati, includes initiatives to prevent and respond to abuse and exploitation of children.(24)
Education Sector Strategic Plan (2012 – 2015)*	Sets out the 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.(25)
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 with regard to child labor, child trafficking, and child pornography.(26)

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

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kiribati funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
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.(2, 9)
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.(3)
Awareness-Raising Programs	MWYSA weekly radio program and workshops with community and educational leaders to address child protection issues, including commercial sexual exploitation of children.(3) Government-UNICEF collaborative programs to increase children's awareness about human rights issues in Kiribati.(6)
Kiribati Educational Improvement Program*	Multi-partner 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.(27)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Kiribati.

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.(3)

The Government worked with ILO-IPEC to conduct a child labor survey in 2012, but the results have yet to be finalized and released.(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 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2014
	Prohibit hazardous occupations or activities for children.	2011 – 2014
	Ensure that the law specifically prohibits domestic human trafficking.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Amend legislation to explicitly protect all children under age 18 from all forms of commercial sexual exploitation, including pornography.	2010 – 2014
	Ensure that the law protects children from use in illicit activities.	2013 – 2014
Enforcement	Provide an adequate number of labor inspectors and police officers and allocate sufficient resources to investigate child labor violations, including the worst forms of child labor.	2010 – 2014
	Collect and make publicly available the data on the enforcement of child labor laws and criminal laws prohibiting the worst forms of child labor.	2012 – 2014
Coordination	Establish a mechanism to coordinate the Government's efforts to combat child labor, including its worst forms.	2013 – 2014
Policies	Integrate child labor elimination and prevention strategies into policies that seek to prevent and respond to child exploitation.	2014
Social Programs	Implement programs to alleviate the financial burden of education and increase access to schools in remote locations.	2014
	Assess the impact the Education Improvement Program may have on child labor.	2012 – 2014
	Implement programs to sufficiently identify and serve victims of commercial sexual exploitation of children.	2009 – 2014
	Release the results and findings of the 2012 child labor survey.	2014

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