

In 2019, Tuvalu made a moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified ILO Convention 182 on the Worst Forms of Child Labor and conducted a baseline survey to map and assess its child protection system. Tuvalu also significantly increased the budget for its labor inspectorate during the reporting period. However, although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. The government has not specified, by national law or regulation, the types of hazardous work prohibited for children, leaving children vulnerable to the worst forms of child labor. In addition, Tuvalu lacks data to determine the prevalence and nature of child labor in the country.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. (1-3) Table 1 provides key indicators on children's work and education in Tuvalu. 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 (%)		78.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data were unavailable from International Labor Organization's analysis, 2020. (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	Fishing, activities unknown (1,3,6)
Services	Domestic work (3,6)

Tuvalu lacks data to determine the prevalence and nature of child labor in the country. (3,6,7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu has ratified some 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	

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The government ratified ILO Convention 182, Worst Forms of Child Labor, in June 2019. The government is also in the process of ratifying the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. (3)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tuvalu’s legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 42 of the Labor and Employment Relations Act (6,8)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor and Employment Relations Act (6,8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 46 and 48 of the Labor and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 69 of the Counter Terrorism and Transnational Organized Crime Act; Article 18 of the Constitution of Tuvalu (6,8-11)
Prohibition of Child Trafficking	Yes		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (9,11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 46 of the Labor and Employment Relations Act; Articles 136–143, and 166 of the Penal Code (6,8,9)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor and Employment Relations Act; Articles 141–142 of the Penal Code (6,8,9)
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		Section 46 of the Labor and Employment Relations Act (8)
Compulsory Education Age	Yes	15	Education Order (12)
Free Public Education	No		Free Education Policy (6)

† No standing military (13)

During the reporting period, the Department of Labor, along with the ILO, conducted consultations on ratifying international labor conventions and implementing its international commitments with the government and NGO stakeholders. (3) Additionally, the government undertook consultations on the draft Child Protection and Welfare Bill, with support from UNICEF. This will be the first law in Tuvalu to make comprehensive provisions for issues related to the rights, protection, and welfare of children. (3)

The Government of Tuvalu has not specified, by national law or regulation, the types of hazardous work prohibited for children; previous provisions only applied to a male person under the age of 18 in the industrial, mining, and fishing sectors. (2,8,14)

Although child trafficking is prohibited in Tuvalu, the law prescribes a harsher punishment for individuals involved in the trafficking of adults than for those involved in the trafficking of children. (11)

Research did not find any laws in Tuvalu that provide free basic education; however, there is a policy that provides for free basic education. (2,3,6,15-17)

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 Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforces labor laws, including those related to child labor. (15)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (3,6,15)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Tuvalu took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor that may hinder adequate labor law enforcement, including the lack of information on labor law enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$43,000 (3)	\$62,000 (3)
Number of Labor Inspectors	4 (6)	4 (3)
Inspectorate Authorized to Assess Penalties	Unknown (6)	Unknown (3)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (3)
Training on New Laws Related to Child Labor	N/A (6)	N/A (3)
Refresher Courses Provided	Yes (6)	Yes (3)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (3)
Number Conducted at Worksite	Unknown (6)	Unknown (3)
Number of Child Labor Violations Found	0 (6)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (6)	0 (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	Yes (6)	Yes (3)
Unannounced Inspections Permitted	Yes (6)	Yes (3)
Unannounced Inspections Conducted	Unknown (6)	Unknown (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

In 2019, the Government of Tuvalu increased its funding for the labor inspectorate from \$43,000 in 2018 to \$62,000. While there is no breakdown information available of the allocation to the labor inspectorate, Tuvalu's small population and the concentration of child labor occurring in its capital, Funafuti, suggests that the financial resource allocation appeared to be adequate in addressing child labor in Tuvalu. (3)

The government did not provide information on its labor law enforcement, including ability to assess penalties, initial training for new labor inspectors, the number of labor inspections conducted, and the number of unannounced inspections. (3)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Tuvalu took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Unknown (3)
Refresher Courses Provided	Unknown (6)	Unknown (3)
Number of Investigations	Unknown (6)	0 (3)
Number of Violations Found	0 (6)	0 (3)
Number of Prosecutions Initiated	0 (6)	0 (3)
Number of Convictions	0 (6)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (17)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (3)

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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
National Advisory Committee on the Convention on the Rights of the Child	Coordinates child protection issues and implements the Convention on the Rights of the Child. Led by the Ministry of Education, and includes the Police and Ministries of Labor and Social Welfare. (3) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts, and ensures coherence of child protection intervention efforts. (3,6,17,18)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (20)
Tuvalu Human Rights National Action Plan (2016–2020)	Consolidates the government’s human rights coordination and delivery of services, including implementation of the UN CRC. (19) This policy was active during the reporting period. (17)
Child Protection Work Plan	Includes the drafting of a Child Protection Bill and a Child Protection in Schools Policy, with implementation plans and cost estimates. Involves public relations activities, such as awareness raising and advocacy. (21) During the reporting period, the government continued to engage researchers to undertake child protection baseline research as part of its 2017 Child Protection Work Plan. The research is expected to determine the prevalence and causes of child protection issues. (3)
Free Education Policy	Provides free primary education for all children in Tuvalu. (6) This policy was active during the reporting period. (3)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (3,22)

During the reporting period, the government coordinated with UNICEF for technical assistance in social welfare policy to assist the Ministry of Home Affairs and Rural Development to implement the Child Protection Policy and Plan. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the lack of programs addressing child labor in the fishing sector.

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. (23) Prioritizes children’s rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (23) During the reporting period, the Office of the Attorney General and Ministry of Education, Youth and Sports, with support from UNICEF Pacific, began implementing various child protection interventions that align with the 2018–2022 UNICEF Pacific Multi-Country Child Protection Program. (3,6) Also in 2019, consultants were hired to conduct child protection baseline research. (17)

‡ The government had other programs that may have addressed child labor issues or had an impact on child labor. (3,17,18,26)

During the reporting period, the government conducted a child protection baseline survey to provide a comprehensive child protection system map and assessment, with support from UNICEF. (3) Research found no evidence of programs that specifically address child labor in the fishing sector.

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 Tuvalu (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on Armed Conflict, UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol.	2013 – 2019
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2019
	Establish by law free basic public education.	2019
	Ensure that the law prescribes a harsher punishment for individuals involved in the trafficking of children than for those involved in the trafficking of adults.	2019
Enforcement	Publish information about the training system for investigators.	2017 – 2019
	Publish labor law enforcement information, including ability to assess penalties, initial training for new labor inspectors, the number of labor inspections conducted, and the number of unannounced inspections.	2016 – 2019
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2010 – 2019
	Institute programs to address child labor in the fishing sector.	2009 – 2019

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