

In 2021, Kiribati made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government funded a pilot program to conduct child labor inspections and collect data on the nature of child labor.

The government also provided data on labor law enforcement and criminal law enforcement efforts in 2021. Additionally, the government finalized and endorsed an interagency referral pathway that strengthens child protection case management.

However, although research is limited, there is evidence that children in Kiribati are subjected to the worst forms of child labor, including in commercial sexual exploitation. Existing laws do not identify hazardous occupations and activities prohibited for children. In addition, the government has not adopted a national policy to address 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 are subjected to the worst forms of child labor, including 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 to 14	14.6 (Unavailable)
Attending School (%)	5 to 14	95.8
Combining Work and School (%)	7 to 14	29.7
Primary Completion Rate (%)		93.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2018–2019. (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
Industry	Construction and cargo loading (1)
Services	Street work, including vending and working in kava bars (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including on foreign fishing vessels (1-3)

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

According to the Social Development Indicator Survey 2018–2019, 25.4 percent of Kiribati children ages 5–17 are involved in child labor, with 14.9 percent of those children working under hazardous conditions. Although the survey results did not include information on the specific sectors in Kiribati in which children are engaged in work, children living in rural areas and poorer households were more likely to be more engaged in hazardous conditions compared with children in urban areas or wealthier households. (6,7) During the reporting period, the Ministry of Employment and Human Resources (MEHR) conducted its first pilot child labor inspection, visiting 35 sites in South Tarawa, Kiribati's most populated and urban area, to collect data on the nature of child labor in Kiribati. (6)

Evidence indicates that girls are subjected to commercial sexual exploitation. (3) Underage girls were allegedly subjected to commercial sexual exploitation with crew members from foreign fishing vessels. In exchange, the

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girls were given cash, alcohol, food, and goods. (1,2) COVID-19 pandemic-related regulations restricting the entry of vessels into Kiribati may have had an effect on decreasing instances of commercial sexual exploitation of children by crewmembers during the reporting period. (6)

Under the Free Education Policy, the government provides free education—including tuition, stationery, and transportation—to children. Through collaborations with UNICEF and other governments, the Government of Kiribati has improved learning spaces, access, and sanitation at schools. (6) The government has worked with UNICEF to strengthen birth registrations by conducting free mobile registration clinics in outer islands, which has continued during the reporting period. (2,6) Children do not experience barriers to education due to a lack of identity documents, their disability status, or access to schools from remote islands. (6) Furthermore, in response to the COVID-19 pandemic and disruptions to children's education, which continued during the reporting period, the Government of Kiribati launched a pilot radio and digital remote learning platform for students through the Global Partnership for Education grant secured in 2020. (6)

II. LEGAL FRAMEWORK FOR 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 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 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	14	Section 115 of the Employment and Industrial Relations Code (8)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (8)
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 (8,9)
Prohibition of Child Trafficking	Yes		Sections 2 and 43–44 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (8,10)
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 (8,9)
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 (8,9)
Minimum Age for Voluntary State Military Recruitment	N/A†		

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
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 (8)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (11)
Free Public Education	Yes		Section 11 of the Education Act (11)

† Country has no standing military. (12)

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. (8) During the reporting period, MEHR finalized the regulations on hazardous work and light work for children, which are currently in review by the Office of the Attorney General before adoption by the Cabinet. (6,13)

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. (8,11)

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).

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. (6)
Kiribati Police Services	Enforces criminal laws related to the worst forms of child labor. (6) Investigates cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit. (14)
Child Protection Officer, Ministry of Women, Youth, Sports, and Social Affairs (MWYSSA)	Removes children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. (15) Assists with the implementation of the Children, Young People, and Family Welfare Act. Coordinates the SafeNet referral system. (6)

During the reporting period, MEHR held meetings with the Ministry of Women, Youth, Sports, and Social Affairs (MWYSSA) and the Kiribati Police Services to coordinate referrals of children found in child labor. (6)

Labor Law Enforcement

In 2021, labor law enforcement agencies in Kiribati took actions to address child labor (Table 6). However, gaps exist within the operations of MEHR that may hinder adequate labor law enforcement, including lack of labor inspector training for new inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown	\$17,300 (6)
Number of Labor Inspectors	5 (2)	5 (6)
Mechanism to Assess Civil Penalties	Yes (8)	Yes (8)
Initial Training for New Labor Inspectors	No (2)	No (6)
Training on New Laws Related to Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (2)	No (6)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2020	2021
Number of Labor Inspections Conducted	63 (2)	81 (6)
Number Conducted at Worksite	63 (2)	81 (6)
Number of Child Labor Violations Found	0 (2)	9 (6,13)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (6)
Routine Inspections Conducted	Yes (2)	Yes (6)
Routine Inspections Targeted	No (2)	Yes (6)
Unannounced Inspections Permitted	Yes (8)	Yes (8)
Unannounced Inspections Conducted	No (2)	Yes (6)
Complaint Mechanism Exists	Yes (2)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (6)

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. During the reporting period, the government conducted its first child labor inspection in the capital Tarawa—the most populous island, which focused on places at high risk of child labor. (6) Nine children ages 10 to 16 were found involved in hazardous work related to street vending and working during late hours. These children were subsequently referred to the Kiribati Police Services and the MWYSSA for further action. (13)

The labor inspectorate has a budget of \$17,300 and employs 5 labor inspectors, who conducted 81 inspections in 2021, up from 63 in 2020. (6) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 in less developed countries, Kiribati would need to employ roughly 1 inspector. (16,17) However, 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. (1) In addition, research indicates that labor inspections have not been extended to informal and high-risk sectors where there is evidence of child labor, including its worst forms, such as fishing vessels, kava bars, domestic work, and nightclubs. (13)

Resource and capacity constraints restrict the government's services and activities related to labor law enforcement, including training for labor inspectors. In addition, due to financial constraints, requests to hire two additional labor inspectors were denied. (6) Although virtual trainings for labor inspectors were held with the ILO and the IOM during the reporting period, they were not focused on child labor issues. (6)

Criminal Law Enforcement

In 2021, criminal law enforcement agencies in Kiribati took actions to address child labor. (Table 7). However, gaps exist within the operations of the Kiribati Police Services that may hinder adequate criminal law enforcement, including lack of training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	No (2)	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (2)	No (6)
Number of Investigations	Unknown (2)	0 (6)
Number of Violations Found	Unknown (2)	9 (6)
Number of Prosecutions Initiated	Unknown (2)	0 (6)
Number of Convictions	Unknown (2)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	0 (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (6)

Children found in hazardous work situations during the pilot child labor inspection in Tarawa were referred to the Kiribati Police Services and the MWYSSA for further action. (6,13) As the pilot inspection was conducted for awareness of the status of the worst forms of child labor in Kiribati, the cases were not submitted for prosecution, but will be used to prepare for the next round of inspections and subsequent submission of cases to the Kiribati Police Services. (18)

During the reporting period, financial resource constraints hampered the government's ability to provide trainings for criminal investigators. (6)

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	Coordinates national UN reports. Comprised of MEHR and MWYSSA. (1) Active during the reporting period, although activities were hampered by the loss of the Country Focal Officer and continued border closures. (18)
Child Protection Working Group	Coordinates child protection issues with MWYSSA. Oversees the implementation of the Child, Young People and Family Welfare Act. (1) Active during the reporting period. (6)

During the reporting period, MEHR's Decent Work Advisory Board initiated discussions to coordinate child labor efforts and tasked MEHR with establishing a Child Labor Working Group. (13) In addition, the government, with support from UNICEF, finalized and endorsed the interagency referral pathway that strengthens child protection case management and referrals. (3,6)

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. (15) During the reporting period, and with support from UNICEF, the government began consultations to develop standards and procedures for registering child protection service providers. (6)
United Nations Pacific Strategy (2018–2022)	Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. This multi-national strategic framework program comprises 14 South Pacific nations. (19) During the reporting period, activities were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (6)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,2,13)

Research found no evidence of a policy that focuses specifically on addressing the worst forms of child labor. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 inadequate efforts to address child labor in all sectors.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritizes children's rights including the elimination of the worst forms of child labor. Multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy (2018–2022). (20) During the reporting period, UNICEF provided trainings for child welfare officers on child protection case management guidelines, and for 20 frontline service providers on mental health and psychosocial support and psychological first aid. (6)
SafeNet†	MWYSSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (21) Active during the reporting period. (6)
Hotlines†	MWYSSA- and police-supported 24-hour hotlines for children to report violations, request information, or obtain access to services. (21) Active during the reporting period. (6)

† 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. (6,22)

Although the government has implemented 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 engaged in construction and street vending work, or young girls subjected to commercial sexual exploitation with crew members from foreign fishing vessels.

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	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2011 – 2021
	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 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
Enforcement	Institutionalize training on child labor laws for labor inspectors and criminal investigators, including initial training for new labor inspectors and investigators and refresher courses for all existing inspectors and investigators.	2017 – 2021
	Strengthen the labor inspectorate by ensuring sufficient resources to support labor law enforcement activities.	2017 – 2021
	Ensure that labor inspectors are inspecting the informal sector and high-risk sectors where there is evidence of child labor violations, including its worst forms.	2021
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2021
Social Programs	Collect and publish data on the extent and nature of child labor in all sectors to inform policies and programs.	2017 – 2021
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2021
	Implement programs to address the issue of commercial sexual exploitation of young girls by crew members from foreign fishing vessels.	2018 – 2021

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