

In 2021, Tuvalu made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Tuvalu published the results from the Tuvalu Multiple Indicator Cluster Survey 2019–2020, which provides the country's most recent and comprehensive data on child labor. 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 information on labor law and criminal law enforcement efforts.

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. (1,2) 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	8.5 (Unavailable)
Attending School (%)	5 to 14	79.4
Combining Work and School (%)	7 to 14	8.9
Primary Completion Rate (%)		89.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2019–20. (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	Fishing, activities unknown (5)
Services	Domestic work (5)




During the reporting period, the government published the results from the Tuvalu Multiple Indicator Cluster Survey 6 (MICS 6) 2019–2020, which provides the most recent and comprehensive data on child labor in Tuvalu. The survey estimated that 4 percent of children ages 5–17 in Tuvalu are engaged in child labor, with 16.2 percent of these children engaging in hazardous work. (6-8) The main types of hazardous conditions that children engaged in include carrying heavy loads, exposure to extreme cold or heat, and working with dangerous tools or operating heavy machinery, among others. However, the MICS 6 did not specify the sectors in which children in Tuvalu were engaged in child labor. (6-8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu has ratified some key international conventions concerning child labor (Table 3).

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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 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 (9)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor and Employment Relations Act (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Article 3 of the Counter Terrorism and Transnational Organized Crime Act; Articles 46–49 of the Labor and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 18 of the Constitution of Tuvalu (9-12)
Prohibition of Child Trafficking	No		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (10,12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 46 of the Labor and Employment Relations Act; Articles 136 and 140–143 of the Penal Code (9,10)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor and Employment Relations Act; Articles 141–142 of the Penal Code (9,10)
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 (9)
Compulsory Education Age	Yes	15	Education Order (13)
Free Public Education	No		Free Education Policy (6,14)

† Country has no standing military (14)

During the reporting year, the Government of Tuvalu held virtual consultations on the ratification of the minimum age convention with the ILO. In addition, the government is finalizing the Child Care and Welfare Bill following Cabinet review. (6) The Bill makes comprehensive provisions for child rights, protection, and welfare in accordance with the principles and provisions of the UN CRC. (6) 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 males under age 18 in the industrial, mining, and fishing sectors. (1,9,15) Laws prohibiting forced labor are not sufficient as they do not criminalize slavery and practices similar to slavery or debt bondage and forced or compulsory labor. (9-12) Tuvalu's laws prohibiting child trafficking are insufficient as they do not criminalize

domestic trafficking. (10,12) In addition, although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education. (6,14)

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
Department of Labor and the Ministry of Public Works, Infrastructure, Environment, Labor, Meteorology and Disaster	Enforces labor laws, including those related to child labor. (6)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (6)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Tuvalu took actions to address child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (5)	Unknown (6)
Number of Labor Inspectors	4 (5)	4 (6)
Mechanism to Assess Civil Penalties	No (9)	No (9)
Initial Training for New Labor Inspectors	No (5)	No (6)
Training on New Laws Related to Child Labor	N/A	N/A (6)
Refresher Courses Provided	No (5)	No (6)
Number of Labor Inspections Conducted	Unknown (5)	Unknown (6)
Number Conducted at Worksite	Unknown (5)	Unknown (6)
Number of Child Labor Violations Found	Unknown (5)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown (6)
Routine Inspections Conducted	Unknown (5)	Unknown (6)
Routine Inspections Targeted	No (5)	No (6)
Unannounced Inspections Permitted	Yes (9)	Yes (9)
Unannounced Inspections Conducted	Unknown (5)	Unknown (6)
Complaint Mechanism Exists	Yes (5)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (6)

The labor inspector cannot assess civil penalties, but may refer matters to the Office of Attorney General for criminal prosecution and the assessment of penalties upon conviction. (9) The government did not provide information on its allocation of funding to the labor inspectorate or labor law enforcement efforts for inclusion in this report. (6)

Criminal Law Enforcement

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

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Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Unknown (5)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5)	N/A (6)
Refresher Courses Provided	Unknown (5)	Unknown (6)
Number of Investigations	Unknown (5)	Unknown (6)
Number of Violations Found	Unknown (5)	Unknown (6)
Number of Prosecutions Initiated	Unknown (5)	Unknown (6)
Number of Convictions	0 (5)	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (5)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (6)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (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
National Advisory Committee on the Convention on the Rights of the Child (NACCRC)	Coordinates child protection issues and implements the Convention on the Rights of the Child to prevent and eliminate child labor. Led by the Ministry of Education, Youth and Sports (MEYS) and includes representatives from the Tuvalu Police and Ministries of Labor and Social Welfare. (6) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts, and ensures the coherence of child protection intervention efforts. (6) NACCRC was not active in 2021. (16)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
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. (17) Activities during the reporting period were conducted under the UNICEF Pacific Multi-Country Child Protection Program (2018–2022). (18,19)
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. (20) Involves public relations activities, such as awareness raising and advocacy. (21) During the reporting period, the government was finalizing the Child Care and Welfare Bill following the Cabinet's review of the proposed law. The Child Protection in Schools Policy is being revised and renamed as the Child Safe Schools Policy following consultations held by MEYS. (6) During the reporting period consultations were held with children and adults in communities and schools in five of nine islands in Tuvalu. (6)
Free Education Policy	Provides free primary education for all children in Tuvalu. (13) Active during the reporting period. (6)

‡ The government had other policies that may have addressed child labor issues or had an impact on 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 the inadequacy of programs to address the full scope of the problem, especially in the fishing sector.

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. (18) During the reporting period, UNICEF collaborated with the Government of Tuvalu to launch the results of the MICS 6 2019–20. In addition, UNICEF is supporting the government on child protection intervention programs, including coordinating child protection activities in Tuvalu in the absence of NACCRC. (6,19,22)

‡ The government had other social programs that may have addressed child labor issues or had an impact on child labor. (6)

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.	2013 – 2021
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2021
	Accede to the Palermo Protocol.	2013 – 2021
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2021
	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery or debt bondage and forced or compulsory labor.	2021
	Ensure that child trafficking laws criminalize the domestic trafficking of children.	2021
	Establish, by law, free basic public education.	2019 – 2021
Enforcement	Publish labor law enforcement information, including labor inspectorate funding, the ability to assess penalties, number of labor inspections conducted, number of labor inspections conducted at worksite, number of child labor violations found, number of child labor violations for which penalties were imposed, number of child labor penalties imposed that were collected, whether routine inspections were conducted, and whether unannounced inspections were conducted.	2016 – 2021
	Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and providing refresher courses.	2020 – 2021
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020 – 2021
	Publish information on criminal law enforcement efforts, including initial training for new criminal investigators, training on new laws related to the worst forms of child labor, whether refresher courses were provided, number of investigations related to the worst forms of child labor, number of violations found, number of prosecutions initiated, and number of imposed penalties for violations related to the worst forms of child labor.	2017 – 2021
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2021
Social Programs	Collect and publish data on the extent and nature of child labor, including in the fishing sector, to inform policies and programs.	2010 – 2021
	Institute programs to address child labor in the fishing sector.	2009 – 2021

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