

In 2022, Tuvalu made minimal advancement in efforts to eliminate the worst forms of child labor. The National Advisory Committee on the Convention on the Rights of the Child worked on developing a child protection policy for schools. 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

Table 1 provides key indicators on children's work and education in Tuvalu.

**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 (%)		88.3

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019–2020. (2)

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 (3)
Services	Domestic work, activities unknown (4,5)




The Tuvalu Multiple Indicator Cluster Survey 6 (MICS 6) 2019–2020, which provides the most recent and comprehensive data on child labor in Tuvalu, found that 4 percent of children ages 5 to 17 were working under conditions of child labor. The survey also reported that 16 percent of children were engaging in hazardous activities that included carrying heavy loads, working with dangerous tools, and operating heavy machinery, among others. (4) However, the MICS 6 did not specify the sectors in which children in Tuvalu were engaged in child labor. (4)

## 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 (6)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor and Employment Relations Act (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 3 and 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 46–49 of the Labor and Employment Relations Act; Article 249 of the Penal Code; Article 18 of the Constitution of Tuvalu (6-9)
Prohibition of Child Trafficking	Yes		Articles 3 and 68 of the Counter Terrorism and Transnational Organized Crime Act; Article 136 of the Penal Code (7,9)
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 (6,7)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor and Employment Relations Act; Articles 141–142 of the Penal Code (6,7)
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 (6)
Compulsory Education Age	Yes	15	Article 3(1)(b) of the Compulsory Education Order (10)
Free Public Education	No		Article 33 of the Education Act (11)

† Country has no standing military (12)

The Government of Tuvalu has not specified, by national law or regulation, the types of hazardous work prohibited for children; previous provisions applied only to males under age 18 in the industrial, mining, and fishing sectors. (6,13) Research found that while primary school is free in practice for students up to age 13, the Education Act stipulates that fees can legally be charged for education. In addition, free primary school up to age 13 does not match the compulsory education age of 15, which leaves children ages 14 and 15 without free education. (5,10,11,14)

### 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). However, gaps exist within the operations of agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role & Activities
Department of Labor and the Ministry of Public Works, Infrastructure, Environment, Labor, Meteorology and Disaster	Enforces labor laws, including those related to child labor. (15)
Tuvalu Police Force	Investigates and enforces criminal violations regarding child labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities. (5)

#### **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	2021	2022
Labor Inspectorate Funding	Unknown (15)	Unknown (5)
Number of Labor Inspectors	4 (15)	Unknown (5)
Mechanism to Assess Civil Penalties	No (6)	No (5)
Training for Labor Inspectors Provided	No (15)	No (5)
Number of Labor Inspections Conducted at Worksite	Unknown (15)	Unknown (5)
Number of Child Labor Violations Found	Unknown (15)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (15)	Unknown (5)
Routine Inspections Conducted	Unknown (15)	Unknown (5)
Routine Inspections Targeted	No (15)	No (5)
Unannounced Inspections Permitted	Yes (6)	Yes (5)
Unannounced Inspections Conducted	Unknown (15)	Unknown (5)
Complaint Mechanism Exists	Yes (15)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (5)

In 2022, the ILO conducted consultations on international labor conventions with the government and civil society. (5) While labor inspectors cannot assess civil penalties, they may refer matters to the Office of Attorney General for criminal prosecution and the assessment of penalties upon conviction. (6) There is no formal referral mechanism, but the government's National Advisory Committee on Children's Rights (NACCRC) is an interagency collective coordinating child protection issues. Members of the committee can be contacted should a case of child labor be found. (5) Research could not ascertain whether routine labor inspections have been conducted, but there have been no inspections of risk-prone sectors. (5)

#### **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	2021	2022
Training for Criminal Investigators Provided	Unknown (15)	Unknown (5)
Number of Investigations	Unknown (15)	Unknown (5)
Number of Prosecutions Initiated	Unknown (15)	Unknown (5)
Number of Convictions	0 (15)	0 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (15)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (5)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (5)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8).

**Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Activities
National Advisory Committee on the Convention on the Rights of the Child (NACCRC)	Interagency collective that 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. (5, 15) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts. (15) During the reporting year, the committee worked on developing a child protection policy for schools. (5)

## V. GOVERNMENT POLICIES ON CHILD LABOR

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

**Table 9. Key Policies Related to Child Labor**

Policy	Description & Activities
United Nations Pacific Strategy (2018–2022)	Addressed, developed, and implemented strategic economic development priorities in the South Pacific, including eliminating child labor and its worst forms. A multinational strategic framework program that consisted of 14 South Pacific nations. (16) Research was unable to determine whether activities were undertaken to implement this program in Tuvalu during the reporting period.
Child Protection Work Plan (2017)	Involves public relations activities, such as awareness raising and advocacy. (17) During the reporting period, the government continued to implement its child protection program although progress was restricted as technical assistance and support was only provided virtually. (5)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government 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.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description & Activities
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)	Prioritized children's rights including the elimination of the worst forms of child labor. This was a multi-country program in 14 Pacific Island countries aligned with the UN Pacific Strategy 2018–2022. (18) Research was unable to determine whether activities took place in Tuvalu in 2022.
Tuvalu Learning Project (2020–2025)	Prepares children entering first grade and increases the literacy of children in elementary school. Subcomponents include a study on student absenteeism, a gender analysis to understand why boys are dropping out of school more than girls, and trainings on child protection, gender-based violence, and disability inclusion. (19) Implemented by MEYS and funded by the World Bank. (19) This project remained active during the reporting period. (5)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

Research found no evidence of programs that specifically address child labor in domestic work or 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	Ratify the UN CRC Optional Protocol on Armed Conflict.	2013 – 2022
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013 – 2022
	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2022
	Determine by national law or regulation the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2022
	Establish by law free public education for all children up to at least age 15 to align with the compulsory education age.	2019 – 2022
Enforcement	Publish labor law enforcement information, including labor inspectorate funding, 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 – 2022
	Establish a mechanism to assess civil penalties.	2022
	Institutionalize training for labor inspectors, including training for new labor inspectors at the beginning of their employment.	2020 – 2022
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020 – 2022
	Publish information on criminal law enforcement efforts, including if training was provided for criminal investigators, the number of investigations, the number of prosecutions initiated, and number of penalties imposed for violations related to the worst forms of child labor.	2017 – 2022
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2022
	Conduct research to determine activities carried out by children working in the agriculture and services sector to inform policies and programs.	2010 – 2022
	Ensure that all social programs that address child labor remain active and publish information on activities taken on an annual basis.	2022
	Institute programs to address child labor in domestic work and the fishing sector.	2009 – 2022

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