

Child Labor Laws and Enforcement

No changes have been recorded since the last reporting period regarding child labor laws and enforcement in Kiribati.*

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Research has not identified any policies or programs by the Government of Kiribati to address exploitive child labor during the reporting period.*

* Because of extremely limited information, a determination was made that USDOL would publish full reports on 9 countries and 18 territories, including the country or territory covered here, once every 5 years. For this reason, this report includes shortened profiles for these countries and territories, containing only new information published during the reporting period. For extended profiles on these countries and territories, please see *The Department of Labor's 2005 Findings on the Worst Forms of Child Labor*. The next extended profiles on these countries and territories should appear in *The Department of Labor's 2010 Findings on the Worst Forms of Child Labor*.

²¹¹⁰ For data not cited here, see the Data Sources and Definitions section.

The Kyrgyz Republic

Incidence and Nature of Child Labor

Children in the Kyrgyz Republic work in domestic service, agriculture, retail service, construction, and mining. In the agriculture sector, children work in tobacco, cotton and rice fields.²¹¹¹ During the cotton and tobacco harvesting season, children in southern Kyrgyz Republic miss school to work in the fields.²¹¹² Children working in agriculture are exposed to extreme heat and hazardous conditions.²¹¹³ Children have been reported to work in coal mines near uranium dumps and scavenge for silicon in landfills. The conditions of the landfill result in respiratory problems and exposure to radiation.²¹¹⁴

Some children, primarily girls, engage in prostitution.²¹¹⁵ Trafficking of children for sexual exploitation and forced labor is a problem. Children have been reported to be trafficked from rural areas to Bishkek and Osh for sexual exploitation.²¹¹⁶ ILO reported an increase in the use of trafficked children to sell and distribute illegal drugs.²¹¹⁷

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The minimum age for admission to work in the Kyrgyz Republic is 16 years, but children 14 years

may work with the permission of a parent or guardian. The maximum work hours for children 14 and 15 years is 5 hours per day; for children 16 and 17 years, it is 7 hours per day.²¹¹⁸ Minors are prohibited from working at night or underground.²¹¹⁹ Children less than 18 years cannot be employed in certain industries, such as metal, oil and gas, and mining.²¹²⁰ The penalty for violating labor laws is a fine.²¹²¹ The Prosecutor General's Office and the State Labor Inspectorate are responsible for enforcing labor laws. USDOS noted that it was difficult for the Government to determine whether employers violated labor laws, as many children worked for their families or were self-employed.²¹²² In 2008, the inspectors performed occasional spot checks on child labor law compliance. USDOS reported that these spot checks were infrequent and ineffective.²¹²³

Children studying in educational establishments are forbidden from participating in agricultural or other work not related to their schooling.²¹²⁴ Parents who restrict their children's access to schooling are penalized by a fine or 1 year of "corrective labor."²¹²⁵ According to USDOS, this law is not strictly enforced, especially in rural areas.²¹²⁶

*Selected Statistics and Indicators
on Child Labor*²¹²⁷

Population, children, 5-14 years, 2006:	1,075,630
Working children, 5-14 years (%), 2006:	4.5
Working boys, 5-14 years (%), 2006:	5.1
Working girls, 5-14 years (%), 2006:	3.9
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2007:	95.3
Net primary enrollment rate (%), 2007:	84.5
School attendance, children 5-14 years (%), 2005:	84.0
Survival rate to grade 5 (%):	-
ILO Convention 138:	3/31/1992
ILO Convention 182:	5/11/2004
CRC:	10/7/1994**
CRCOPAC:	8/13/2003**
CRCOPSC:	2/12/2003**
Palermo:	10/2/2003
ILO-IPEC participating country:	Associated

*In practice, must pay for various school expenses

**Accession

The law prohibits forced labor, except in the case of war, natural disaster, epidemic, imprisonment, or other extraordinary circumstances.²¹²⁸ The enticement of a person into prostitution is punishable by a prison term of up to 5 years.²¹²⁹ The keeping of brothels for prostitution and pimping is punishable by a fine or prison term of up to 5 years. USDOS reports that the lack of legal regulation and oversight makes prostitution an ongoing problem.²¹³⁰

The trafficking of minors for exploitation, such as forced labor or prostitution, is punishable by a prison term of 5 to 15 years.²¹³¹ Trafficking victims cannot be prosecuted if they assist a trafficking investigation.²¹³² The State Committee on Employment and Migration Issues is the lead agency in coordinating anti-trafficking efforts.²¹³³ According to USDOS, law enforcement is

hampered by corruption.²¹³⁴ Victims reported that government officials assisted trafficking operations.²¹³⁵

The minimum age for recruitment to compulsory military service is 18 years. However, boys may enroll in military schools at 16 years.²¹³⁶

The Office of the Ombudsman has a special department to oversee the rights of minors. It has the authority to request information from other agencies and perform investigations.²¹³⁷

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2008, the State Program of Action of Social Partners for the Elimination of the Worst Forms of Child Labor in the Kyrgyz Republic (2008-2011) was adopted.²¹³⁸ The program aims to improve legislation, make the labor inspectorate more efficient, withdraw and prevent children from the worst forms of child labor, promote youth employment, and increase awareness about the worst forms of child labor.²¹³⁹ The Government also passed a National Action Plan against Human Trafficking. The plan's goals include expanding the definition of trafficking in persons, increasing public awareness, and increasing social protection for trafficking victims.²¹⁴⁰

The Government continued to provide space for NGO-operated shelters for trafficking victims. Additionally, the Government published and distributed brochures and booklets in Kyrgyz and Russian to increase awareness of trafficking issues.²¹⁴¹

The Government of Kyrgyzstan is participating in a USDOL-funded 4 year USD 6.8 million ILO-IPEC project to conduct data collection on child labor.²¹⁴²

²¹¹¹ Integrated Regional Information Networks, "Kyrgyzstan: Child Labour Remains Rife", IRINnews.org [online] 2006 [cited January 28, 2009]; available from <http://www.irinnews.org/report.asp?ReportID=54174&SelectRegion=Asia&SelectCountry=KYRGYZSTAN>. See also U.S. Embassy- Bishkek, *reporting*, December 21, 2007, section E. See also U.S.

Department of State, "Country Reports- 2008: Kyrgyz Republic," section 6d.

²¹¹² U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 6d.

²¹¹³ Ramazon Dyrlydaev and Severine Jacomy, *Rights of the Child in Kyrgyzstan*, Geneva, February 2004, 18; available from http://www.crin.org/docs/resources/treaties/crc.37/Kyrgyzstan_OMCT_ngo_report.pdf.

²¹¹⁴ Integrated Regional Information Networks, "Child Labour Remains Rife". See also Ilan Greenberg, *There's Money in Dirt, for Those Who Find Bits of Silicon*, [online] 2006 [cited January 29, 2009]; available from http://www.nytimes.com/2006/09/05/world/asia/05kyrgyzstan.html?_r=1&pagewanted=print.

²¹¹⁵ Institute for War and Peace Reporting (IWPR), *Lost Children of Central Asia*, Press Release, January 19, 2004, 2; available from www.essex.ac.uk/armedcon/story_id/000170.doc. See also Ramazon Dyrlydaev and Severine Jacomy, *Rights of the Child in Kyrgyzstan*, 14.

²¹¹⁶ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," sections 5 and 6d.

²¹¹⁷ *Ibid.*, section 6d.

²¹¹⁸ *Ibid.* See also UN Committee on the Rights of the Child, *Second periodic reports: Kyrgyzstan*, para 70.

²¹¹⁹ UN Committee on the Rights of the Child, *Second periodic reports: Kyrgyzstan*, para 339.

²¹²⁰ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 6d.

²¹²¹ U.S. Embassy- Bishkek, *reporting, December 21, 2007*, section b.

²¹²² U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 6d.

²¹²³ *Ibid.*

²¹²⁴ UN Committee on the Rights of the Child, *Second periodic reports: Kyrgyzstan*, para. 340.

²¹²⁵ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5. See also UN Committee on the Rights of the Child, *Second periodic reports: Kyrgyzstan*, para 67.

²¹²⁶ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5.

²¹²⁷ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Second periodic reports of States parties due in 2001*, CRC/C/104/Add.4, April 5, 2004, para 70. See also U.S. Department of State, "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/>

[hrrpt/2008/sca/119136.htm](http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119136.htm). For age to which education is compulsory and free public education, see Government of the Kyrgyz Republic, *Constitution of the Kyrgyz Republic*, (October 21, 2007), article 32; available from <http://www.legislationline.org/download/action/download/id/1047/file/a61762ed3aed45f05228ad0985a5.htm/preview>. See also U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5. See also Asia Human Rights Commission, *Kyrgyzstan: Children Labour to Pay School Fees*, [online] [cited February 5, 2009]; available from <http://acr.hrschool.org/mainfile.php/0188/340/>.

²¹²⁸ Government of the Kyrgyz Republic, *Constitution 2007*, article 28(3).

²¹²⁹ U.S. Embassy- Bishkek, *reporting, March 16, 2009*, 8.

²¹³⁰ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5.

²¹³¹ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography: Initial Reports: Kyrgyzstan*, May 31, 2006, 2; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/423/96/PDF/G0642396.pdf?OpenElement>.

²¹³² U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5.

²¹³³ U.S. Embassy- Bishkek, *reporting, March 16, 2009*, 4.

²¹³⁴ U.S. Department of State, "Country Reports- 2008: Kyrgyz Republic," section 5.

²¹³⁵ *Ibid.* See also U.S. Department of State, *Kyrgyz Republic (Tier 2)*, Washington, DC, June 4, 2008, 159; available from <http://www.state.gov/documents/organization/105501.pdf>.

²¹³⁶ Coalition to Stop the Use of Child Soldiers, "Kyrgyzstan," in *Child Soldiers Global Report 2008*, London, 2008, 202-203; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

²¹³⁷ UN Committee on the Rights of the Child, *Summary Record of the 987th Meeting: Kyrgyzstan*, September 29, 2004, para 38 and 47; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G04/437/60/PDF/G0443760.pdf?OpenElement>.

²¹³⁸ U.S. Embassy- Bishkek, *reporting, February 17, 2009*.

²¹³⁹ ILO-IPEC official, E-mail communication to USDOL official, February 8, 2008.

²¹⁴⁰ U.S. Embassy- Bishkek, *reporting, March 16, 2009*, 1.

²¹⁴¹ U.S. Department of State, *Trafficking in Persons Report- 2008: Kyrgyz Republic*, 159.

²¹⁴² ILO-IPEC official, E-mail communication to USDOL official, March 31, 2009.