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**DECENT WORK COUNTRY PROGRAMME**  
**KIRIBATI**



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**THE GOVERNMENT OF KIRIBATI  
KIRIBATI CHAMBER OF COMMERCE & INDUSTRY (KCCI) ,  
KIRIBATI TRADE UNION CONGRESS (KTUC) ,  
AND THE INTERNATIONAL LABOUR OFFICE**

On the occasion of the completion of the above  
**DECENT WORK COUNTRY PROGRAMME FOR KIRIBATI,**  
21 December 2009 , Nadi, Fiji

For the GOVERNMENT OF KIRIBATI  
represented by Mr. Ioteba Redfern, Minister of Labour & Human Resource Development  
Ministry of Labour & Human Resource Development

for the KIRIBATI CHAMBER OF COMMERCE & INDUSTRY (KCCI)  
represented by Mr Martin Tofinga, President

for the KIRIBATI TRADE UNION CONGRESS (KTUC)  
represented by Ms Teera Maio Bakoaea , President

and the INTERNATIONAL LABOUR ORGANIZATION  
represented by Mr. Trevor Riordan – Director a.i., ILO Office for Pacific Island Countries.

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**International Labour Office**

**Decent Work Country Programme**

**Kiribati**

**(2009-2012)**

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**22 January 2010**

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## List of Abbreviations and Acronyms

AIDS	Acquired Immune Deficiency Syndrome
AusAID	Australian Agency for International Development
CEARC	Committee of Experts on the Application of Conventions and Recommendations
DWCP	Decent Work Country Programme
EC	European Commission
EDF	European Development Fund
EEZ	Exclusive Economic Zone
EU	European Union
FOA/CB	Freedom of Association and Collective Bargaining
FTC	Fisheries Training Centre
GoK	Government of Kiribati
HDI	Human Development Index
HIES	Household Income & Expenditure Survey
HIV	Human Immunodeficiency Virus
HRD	Human Resource Development
ILC	International Labour Conference
ILO	International Labour Organisation
ILS	International Labour Standards
ITC-ILO	International Training Centre of the ILO
KCCI	Kiribati Chamber of Commerce and Industry
KDP	Kiribati Development Plan
KIMEO	Kiribati Major Employers' Organisation
KIT	Kiribati Institute of Technology
KNPF	Kiribati National Provident Fund
LMIA	Labour Market Information and Analysis
MCIC	Ministry of Commerce, Industry and Cooperatives
MDGs	Millennium Development Goals
MLHRD	Ministry of Labour and Human Resource Development
MTC	Marine Training Centre
NAP	National Action Plan on Youth Employment
NCL	Norwegian Cruise Line
NZAID	New Zealand Agency for International Development
OSH	Occupational Safety and Health
PAC	Pacific Access Category
PICs	Pacific Island Countries
PNG	Papua New Guinea
RO	Regional Office
RSE	Recognised Seasonal Employer
SIYB	Start and Improve Your Business
SPC	Secretariat of the Pacific Community
SPMS	South Pacific Marine Services
SRO	Sub-Regional Office
STIs	Sexually Transmitted Infections
TVET	Technical and Vocational Education and Training
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund

## Introduction

The primary goal of ILO is to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity. Decent work country programmes (DWCPs) promote decent work as a key component of development policies and at the same time as a national policy objective of governments and social partners. The present country programme is informed by international and regional development agendas including the Millennium Development Goals (MDGs), the United Nations Development Assistance Framework (UNDAF) for the Pacific subregion 2008 – 2012, and the Pacific Plan as well as national development objectives as expressed in the Kiribati Development Plan (KDP) 2008-2011. The DWCP is the product of tripartite consultations. In March 2009, separate consultations with the **Kiribati Trade Union Congress (KTUC)**, the **Kiribati Chamber of Commerce and Industry (KCCI)**, the **Kiribati Major Employers' Organisation (KIMEO)**, and the **Ministry of Labour and Human Resource Development (MLHRD)** were followed by tripartite consultations during which priorities were agreed on. The priorities in Kiribati also take due account of the outcomes of the regional Tripartite Technical Meeting on Decent Work held in Nadi, Fiji between 26 and 28 November 2007, the Biennial Country Programme Review (2006-2007) for Pacific Island Countries (PICs), as well as ILO's comparative advantages vis-à-vis other UN and bilateral development partners. This DWCP details the policies, strategies and results required to realise progress towards decent work for all. It reflects the strategic planning of ILO cooperation activities with Kiribati for the period 2009 – 2012, in alignment with the UNDAF. Reflecting the constituents' as well as the ILO experts' assessment of past cooperation the programme aims at ensuring a strong coherence of ILO activities in Kiribati and thus to contribute to the achievement of sustainable impacts.

## I. Country context

### The demographic, social and economic situation

Kiribati is a nation of 33 atolls and reef islands with a total land area of 726 square kilometres. The land mass falls into the three island groups of the Gilberts, Phoenix and Line Islands. Kiribati has an exclusive economic zone (EEZ) covering 3.5 million square kilometres.

At the time of the 2005 census, Kiribati's population was 92,533, constituting a population density of 127 per square kilometre. Since the previous census in 2000, the population had grown by 1.8% per year. Kiribati's urban population on South Tarawa was 40,311, equivalent to 44% of the total. They are crowded into 16 square kilometres. On the other hand Kiritimati (Christmas) Island has a population of 5,100 persons on a land area of 388 square kilometres.

At USD 60 million in 2006, Kiribati has one of the lowest GDPs in the region. Real GDP growth was estimated to be 2% in 2007 and 3.7% in 2008. Although living standards are improving, social indicators remain poor by regional standards. Kiribati has a human development index (HDI) of 0.515 which is one of the lowest ratings in the Pacific. Although 51% of the population are classified as below the poverty line, there is little extreme poverty as most households are engaged in subsistence activities and can also rely on the traditional kin-based redistribution of wealth.

Kiribati faces distinctive economic, social, geographic and development challenges. The coastal environment is fragile and deteriorating, particularly in South Tarawa. Kiribati is also

vulnerable to climate change and sea level rise. Economically, Kiribati faces significant constraints including limited natural resources; minimal potential for economies of scale; small and fledgling private sector development; widely scattered, physically remote and sparsely populated islands; limited cash opportunities outside government employment; and irregular transport by sea and air to outer islands and international markets.

Kiribati has been characterised as a MIRAB country depending on *Migration*, which stimulates substantial *Remittance* flows. Alongside remittances, *Aid* is a significant source of income, and these sources have contributed to the emergence of an urban *Bureaucracy*. The MIRAB process has turned Kiribati into a rent-based economy where income is generated from remittances and aid flows rather than productive activities. This has skewed the occupational structure towards the bureaucracy, non-agricultural activities and overseas employment. With nearly 40 per cent of GDP, the public wage bill in Kiribati is higher than in any other PIC. I-Kiribati<sup>1</sup> working on foreign vessels currently send remittances of between AUD 12 and 13 million annually, reaching a considerable proportion of Kiribati's population.

Kiribati has two distinct economic zones. The first is the urban area of South Tarawa which has the country's main port, the seat of government, business and tourist facilities, a developed services sector and some manufacturing operations. Similar economic activities are found on Kiritimati. The outer islands, on the other hand, are largely characterised by fishing and subsistence agriculture. Commercial agriculture is almost exclusively restricted to copra production.

Like in the other PICs, the private sector in Kiribati is underdeveloped and constrained by state interference in the economy, competition from public enterprises, poor provision of public goods, a high cost operating environment, underdeveloped financial markets, poor investment policies and land rights issues. The I-Kiribati tradition of *bubuti* (a request by a family member that cannot be refused), acts as a further disincentive to running successful businesses as individuals rarely reap the benefits of their work.

Tourism is one of the few industries that has potential to grow but is starting from a low base. Cruiseships which regularly call at Tarawa, Christmas and Fanning Islands are an important part of Kiribati's tourism industry. If the main challenges currently inhibiting growth, including unreliable transport services, are overcome, there is potential for the tourism industry to grow.

Overall, the level of exports falls far short of the level of imports. Yet, Kiribati has been able to maintain an overall balance of payments through remittances, interest from the reserve equalisation fund (REF) created from previous phosphate mining, license fees from foreign fishing fleets using its abundant ocean resources, and aid grants.

## **LMIA**

There is a lack of reliable labour market data in Kiribati since no labour market survey has been conducted. The main source of labour market data is the five-yearly population census with the most recent census conducted in 2005. Some labour market information is collected in the Household Income and Expenditure Survey (HIES), the most recent being conducted in 2006. However, the Census and HIES provide limited labour market information. Labour market analysis is therefore difficult. Administrative records of the Kiribati National Provident Fund (KNPF) and the National Employment Register partially fill this gap for the formal economy. Since the population working in the subsistence economy is almost twice as large as the employed population in cash work, they are not sufficient to monitor overall

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<sup>1</sup> People of Kiribati origin are referred to as "I-Kiribati".

labour force trends. Introduction of a labour force survey is therefore necessary although it will be costly given the dispersion of the atolls and its inhabitants.

The major LMIA stakeholders in Kiribati have agreed upon the desirability of technical assistance in the field of LMIA. Assistance provided by the pipeline LMIA Project will initially focus on the introduction of a set of Key Labour Market Indicators and a labour force questionnaire and on overcoming the natural and geographic barriers to survey conduct. Capacity in the two main government institutions with a stake in LMIA, the MHLRD and the National Statistics Office, is weak. There is a lack of staff, operational means, knowledge on internationally accepted methodology and definitions, analytical capacity, general statistical knowledge and specific labour market expertise. These will have to be addressed.

There have been some attempts at harmonising and regionalising the collection and analysis of national statistics, including labour market statistics, in order to make data comparable in the PIC region. The Secretariat of the Pacific Community (SPC) has been at the forefront of these efforts.

In the Kiribati Development Plan 2008-2011, the GoK identified an enhancement of the capacity of statistical units in all Government agencies for effective planning and policy formulation on employment as a priority.

## **Employment**

According to the 2005 census, there were 58,332 persons of working age of 15 years and above. Of these, 63% were part of the labour force by actively working or seeking work while 37% were not part of the labour force. There were 13,133 “cash workers” in the formal and informal economy (equivalent to 23% of all persons aged 15 and over), compared to 21,582 “village workers” engaged in subsistence farming or fishing (37%). Approximately 38% of the cash workers were female. Village work had an almost equal gender distribution, whilst almost 90% of those engaged in home duties were female.<sup>2</sup>

12,137 cash workers were employees (7,467 males, 4,670 females), 246 were employers (164 males, 82 females) and 734 were self-employed (453 males, 281 females). The majority of people in the cash economy worked in the service sector (75%) and approximately 66% of formal sector employment was in the public sector or public enterprises.

The GoK employs about 4,500 staff, excluding the 2,000 staff in the public enterprises. Although it is the largest employer in Kiribati, the GoK has only been able to absorb a fraction of the working age population and the new labour market entrants each year. As a result of public sector restructuring, it is likely to absorb a smaller proportion in the future.

Women are employed in a range of occupations, running businesses, and are elected to parliament. Overall, women comprised 46% of the labour force in 2005, 38% of cash economy workers and 50% of village workers. In 2005, 56% of professionals were women (mainly teachers and nurses). There are however important areas where women are still significantly underrepresented, particularly in senior public service positions. In addition, women carry out the bulk of unpaid reproductive work in families and communities.

## **Youth employment**

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<sup>2</sup> The National Statistics Office, which is responsible for population censuses, divides respondents into labour force participants and those who are not part of the labour force. Labour force participants are in turn coded into the three mutually exclusive categories of “cash workers”, “village workers” and “unemployed”. Persons who are self-employed or employed in the cash economy are “cash workers”. Subsistence farmers and fishermen and –women are classified as “village workers”. The majority of “village workers” reside in rural areas or outer islands. People not working but looking for work are classified as unemployed.

Kiribati has a highly youthful population. In 2005, 37% of the population were below 15 years of age and the median age was 20.7 years. The population is forecast to continue to grow rapidly and is expected to reach between 119,400 and 140,400 by 2025. The working aged population also grows rapidly with dwindling opportunities to find paid employment.

There is almost universal participation in the six years of primary school with a very high rate of participation in Junior Secondary School. With each cohort of 2,500 children, 2,100 enter Form 1 (having taken an average of 7.5 years to complete the six primary classes), 1,800 enter Form 4 (the commencement of Senior Secondary); and 1,450 sit for the Kiribati National Certificate (at the end of Form 5). Relatively few I-Kiribati hold formal post-secondary qualifications.

The major post-secondary training institutions in Kiribati are the Marine Training Centre (MTC), the Fisheries Training Centre (FTC) (see below), and the Kiribati Institute of Technology (KIT) providing vocational training through apprenticeship courses in Mechanical Engineering, Electrical Engineering and Building and Carpentry. KIT also runs shorter courses in secretarial and office skills, English, accounting, computing, and management. It is planned to raise the standards of the institute by joining with the Australian Pacific Technical College. In addition, there are the Kiribati Teachers College which trains teachers for the primary and the junior secondary schools, the School of Nursing, and the Kiribati campus of the University of the South Pacific.

Unemployment rates among school leavers are invariably higher than for other population groups. Recent estimates indicate that between 500-1,000 students leave the education system each year without the necessary skills to obtain employment. When job seekers from other sources are added, the estimated number of new entrants to the labour market each year is about 2,000. Against this supply-side figure the formal economy generates less than 500 new jobs a year (almost all of which are on South Tarawa), so that only a fraction of job seekers is likely to find employment. While paid employment is difficult to obtain throughout the country, the chances are still much better on South Tarawa than the outer islands. This has fuelled the rapid migration from Kiribati's outer islands to the capital during the past decade.

Given the limited prospects for wage employment in the public and private sectors, a growing number of young I-Kiribati will need to find work in the informal economy if they want to earn cash incomes within Kiribati. ILO has continuously provided support to MLHRD and the Ministry of Commerce, Industry and Cooperatives (MCIC) especially in providing short term skills training, such as hair dressing and television and VCR repair, and training in "Start your business" and "Improve your Business". So far only few trainees have succeeded in starting their own small businesses. This can largely be attributed to a lack of access to finance, although it may also point to the unsuitability of trainees who may not have had an interest in the skills or an intention to set up a business.

Since population growth is likely to be far greater than growth in local employment, and given the environmental concerns of increased population in Tarawa, Kiribati has little choice but to continue to export part of its workforce temporarily or permanently.

### **Seafaring, fishing and cruiseship employment**

I-Kiribati have a tradition to work aboard foreign vessels as seafarers and fishermen<sup>3</sup>. MTC which operates under MLHRD trains students to achieve the level of rating under the international maritime convention STCW-95 for employment on board merchant vessels.

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<sup>3</sup> Since all I-Kiribati working aboard foreign vessels in this occupation are male, the term "fishermen" is used, rather than a gender inclusive term.

Attrition rates for rating training are high due to an inability of students to adhere to the strict discipline regime imposed by MTC and students developing poor health during their studies.

All graduates of MTC are employed by one of six German shipping companies for which South Pacific Marine Services (SPMS) acts as the recruitment agency. SPMS employed women for the first time as chefs in 2005. Most I-Kiribati work in lower skilled positions such as able-bodied or ordinary seamen. In recent years, there has been a reduction in the number of I-Kiribati seafarers on German vessels due to health and disciplinary problems, changes in the employment market for seafarers with more opportunities for specialised seafarers such as motormen<sup>4</sup>, cooks, bosuns and fitters and a global oversupply of deck ratings, and increased competition from Eastern Europe and Asia. As a result, the supply of I-Kiribati seafarers has not been sufficient to fill all labour demand by SPMS.

Another area in which I-Kiribati men have been employed is as fishermen on foreign fishing vessels. FTC which was established in 1989 and is under MLHRD trains fishermen to achieve the level of rating under the international maritime convention STCW-95. Until 2006, employment of graduates was guaranteed on board Japanese fishing vessels as FTC was run as a joint venture between Japan Tuna Fisheries cooperation and GoK. Since the beginning of 2007, increasing numbers of fishermen have been employed on Taiwanese and Korean boats.

Overall quality of MTC and FTC in meeting the international standards of STCW-95 is maintained through participation in the Regional Maritime Program of SPC.

I-Kiribati have also worked as crew on Norwegian Cruise Line (NCL) ships, their employment being part of the agreement between NCL and GoK that gives NCL the exclusive right to call at Fanning Island. The agreement stipulates that NCL will eventually employ 500 I-Kiribati on its 14 cruiseships. The number of I-Kiribati has been increased by an intake of 50 new recruits each year. Approximately 75% of I-Kiribati employees are women working as housekeepers, cleaners, receptionists and in bars and restaurants.

### **Other overseas employment and seasonal work opportunities**

The best opportunity for I-Kiribati to migrate overseas has been presented under the Pacific Access Category (PAC) scheme which was introduced by New Zealand in 2002. Up to 75 citizens of Kiribati are granted access under the PAC scheme each year.

A new employment opportunity has opened up as Kiribati is part of a scheme for the seasonal employment of workers in the horticulture and viticulture industries from some PICs which has been trialled by New Zealand since April 2007. The pilot scheme of the “Recognised Seasonal Employer” (RSE) Work Policy was introduced for up to 5,000 Pacific Islanders workers from Kiribati, Tuvalu, Vanuatu, Samoa and Tonga. MLHRD has established a database of 800 potential seasonal workers who have passed a pre-selection and screening process. The GoK announced the appointment of a liaison officer who would oversee the employment of its citizens and provide feedback to the government. Individuals selected from the pool attend a seminar by MLHRD before their departure covering matters such as climate, clothing and footwear requirements, taxation, insurance (particularly health insurance), health and wellbeing, accident compensation, banking and remitting, budget advice and travel arrangements. Workers also receive a pre-departure booklet.

The first lot of 70 I-Kiribati RSE workers went to New Zealand in 2007 and returned again to New Zealand for the 2008 work season. In 2009, only 20 I-Kiribati have gone to New Zealand. Hence, of the pre-selected 800 workers, less than 100 have so far been recruited.

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<sup>4</sup> Since all I-Kiribati working aboard foreign vessels in this occupation are male, the term “motormen” is used, rather than a gender inclusive term.

At the Pacific Forum Leaders meeting in Niue in August 2008, Australia announced a trial Pacific guest worker scheme similar to New Zealand's RSE scheme. On 24 November 2008 the Australian Government signed Memoranda of Understanding with the Governments of the four selected pilot countries Kiribati, Tonga, Vanuatu and Papua New Guinea. Under this scheme up to 2,500 temporary workers from the four pilot countries will be recruited to work in Australian farms for a period of up to seven months over a three year period. While the first workers from Tonga and Vanuatu have arrived in Australia in early 2009, no workers from Kiribati have arrived so far. Upon arrival in Australia, seasonal workers attend an orientation briefing which include assistance in establishing Australian bank accounts and tax file numbers and presentations from the Workplace Ombudsman and the Australian Workers Union.

Another Australian scheme funded by AusAID is the Kiribati Australia Nursing Initiative (KANI) which was started in 2006 as a pilot scheme providing training for 30 I-Kiribati nurses per year at Griffith University in Brisbane.

### **National, regional and global development frameworks**

Strategic priorities of the GoK are detailed in the **Kiribati Development Plan (KDP) 2008 – 2011**. The theme of the KDP is “Enhancing economic growth for sustainable development” and the vision is “A vibrant economy for the people of Kiribati”. The Government aims to ensure that the benefits derived from economic growth are enjoyed by all people in Kiribati. Development of the people's capabilities and the economy will ultimately lead to creating employment opportunities and a skilled workforce that can access the national and international labour market. The Government considers improved access to the international labour market as an essential adaptation strategy in the face of climate change impacts and population growth. The KDP includes strategies related to employment under various policy areas (see Table 1 in Annex). For instance, strategies aimed at increasing employment are included under the key policy area “Economic Growth and Poverty Reduction”.

To address its economic and social challenges, Kiribati has adopted several regional and global development frameworks. The 8 **MDGs** form a blueprint that respond to the world's main development challenges and are to be achieved by 2015, agreed to by all the world's countries and all the world's leading development institutions (see Table 1 in Annex).

The **Pacific Plan** was endorsed by Pacific Leaders at their Pacific Islands Forum Meeting in Port Moresby in October 2005. With an overall focus of regionalism and sub-regionalism, the Pacific Plan includes 13 strategic objectives under four pillars (see Table 1 in Annex). It makes special reference to find decent income and employment opportunities for the growing number of unemployed youths, school leavers and people living below the poverty line.

For the **UNDAF** cycle 2008 – 2012 a joint UNDAF was undertaken by the UN Country Teams of Samoa and Fiji. This UNDAF was developed based on a review of national and regional plans, strategies and policies from 14 PICs and regional bodies, UN mandates, and UN areas of expertise, which led to the identification of four UN priority areas (see Table 1 in Annex). Particularly important in the analysis was the Pacific Plan, whose objectives closely align with the identified UN priorities. Human rights and gender equality have been mainstreamed in the design, implementation, monitoring and evaluation of programmes in the UNDAF.

Geographically, the UN has chosen to focus on the region's five Least Developed Countries – Kiribati, Samoa, Solomon Islands, Tuvalu, and Vanuatu. The five LDCs will receive roughly 65% of an estimated USD 309.7 million over the five-year period. The UNDAF has identified opportunities for ILO's involvement and potential partnership. ILO is listed as a partner in

most programme outputs under the priorities “equitable economic growth and poverty reduction”, “good governance and human rights” and “equitable social and protection services”. ILO is the lead partner in the output “enabling environments support employment friendly micro-small- and medium-sized enterprises” under the first priority. In addition, there are opportunities for ILO involvement in creating “Green Jobs” under the fourth priority.<sup>5</sup> The UNDAF stakeholders’ meeting in Suva in May 2007 during which the joint UNDAF was presented, also identified the importance of focused activities dealing with the youth bulge in PICs.

Finally, the notes that were adopted at the **Tripartite Technical Meeting on Decent Work** held in Nadi, Fiji between 26 to 28 November 2007 identify common regional priorities for ILO assistance.

### **Donor assistance**

Kiribati is fully supported by international and regional institutions and bilateral donors which endeavour to closely align their contributions to the country’s priorities. AusAID’s education program has formed the cornerstone of the bilateral aid program with Kiribati since 1998. In addition, Australian support for Kiribati is concentrated in human resource development and public sector management. Australian official development assistance to Kiribati in 2008-09 totals \$18.4 million. NZAID’s programme in Kiribati is focused on: sustainable urban development; improved educational outcomes, improving performance in the public sector and human resource development. NZAID and AusAID are co-ordinating as much as possible their development assistance programmes in Kiribati.

The EU is another major donor in Kiribati and has earmarked EURO 13.8 million under the 10th EDF 2008-2013 for Renewable energy and Water and sanitation. UNICEF is the UN lead agency in Kiribati where it maintains a field office. Kiribati is one of UNICEF’s three priority countries in the PIC region. UNICEF’s programme for Kiribati includes five major components, namely health and sanitation; education; HIV/AIDS; child protection; and the policy advocacy, planning and evaluation.

### **ILO’s partnership with Kiribati**

Kiribati became a member of ILO in 2000 and has ratified all eight Fundamental Conventions. Four Fundamental Conventions (C.100, C.111, C.138 and C.182) were ratified in 2009 and deposited with the Director of Standards. As in many countries across the world, much work in several key areas remains to be done to achieve the desired international labour standards in Kiribati.

Reports on the application of C.29 and C.105 were due in 2008 and have been requested by ILO. Technical advice was provided by ILO. The GoK intends to submit the two reports in 2009 but requires further technical assistance to finalise them.

The social partners are the **Kiribati Trade Union Congress (KTUC)**, the **Kiribati Major Employers’ Organisation (KIMEO)**, and the **Kiribati Chamber of Commerce and**

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<sup>5</sup> Efforts to tackle climate change could result in the creation of millions of new **green jobs** in the coming decades, according to the report “Green Jobs: Towards Decent work in a Sustainable, Low-Carbon World” from the United Nations on the impact of the emerging global green economy, released in September 2008. Green jobs reduce the environmental impact of enterprises and economic sectors, ultimately to levels that are sustainable. Changing patterns of employment and investment result from efforts to reduce climate change and its effects are already generating new jobs in many sectors and economies, and could create millions more in both developed and developing countries.

**Industry (KCCI).** Labour issues are the responsibility of the **Ministry of Labour and Human Resource Development (MLHRD).**

The **Kiribati Trade Union Congress (KTUC)** is the national trade union center of Kiribati. It was formed in 1982. Although all 7 registered unions (Kiribati Nurses Association, Kiribati Union of Teachers, Kiribati Island Overseas Seamen’s Union, Hotel Workers Union, ANZ Union, Telecom Union, PUB Employees Union) in Kiribati are affiliated with the KTUC, seafarers and public sector workers are the majority of its approximately 2,500 members.

The **Kiribati Chamber of Commerce and Industry (KCCI)** was established in the early 1970s with the vision to “establish a strong and effective private sector through a united Kiribati Chamber of Commerce and Industry” and a mission to “bridge the united private sector with the government of Kiribati to prosper economic growth”. Some of the recent activities that KCCI has engaged in with its affiliate members include: 1) Bridging private sector and government to achieve economic growth (through dialogue on good policy, training, better investment environment, etc); 2) Disseminating business information; 3) Providing training and workshops at the national and regional level; 4) Networking with private sector members and others; 5) Transferring technology know-how among members and 6) Liaising on behalf of employers with media and website coverage to promote the work of the Chamber for its members.

The **Kiribati Major Employers’ Organisation (KIMEO)** has been registered as the second employers’ association besides the **KCCI**. With KCCI being largely focussed on trade issues and business development, KIMEO’s focus is on labour law and industrial relations.

Two of the key roles of the **Ministry of Labour and Human Resource Development (MLHRD)** under the present KDP are to explore employment opportunities for I-Kiribati overseas; and skills development to meet the local and overseas labour market demand. The MLHRD is responsible for the training institutions MTC, FTC and KIT. MLHRD is committed to prepare I-Kiribati to pursue employment opportunities abroad. MLHRD also oversees the recruitment of RSE workers to New Zealand and provides pre-departure training.

Some of the current labour issues of relevance in Kiribati for which technical assistance is required include labour law implementation and industrial relations. There is a lack of understanding of the new labour legislation that came into existence in 2009, especially among the social partners. There is also need for introducing an appropriate minimum wage fixing process, improving employers’ compliance with OSH, introducing adequate social security (including possibly maternity leave and health insurance through the KNPF) that is affordable for employers and provides security for workers. The GoK has mandated the KNPF to undertake a feasibility study of a health insurance scheme with the Ministry of Health. The GoK has received funding from Australia to improve OSH but the proposed changes have not been implemented due to ongoing reluctance by employers. The minimum wage fixing process has not been decided upon including the question whether to introduce a general or sectoral minimum wage.

Over the past years, ILO has provided training to the tripartite constituents in the areas of labour law, industrial relations, tripartism and social dialogue, conciliation and mediation and dispute settlements. ILO has funded attachments by officials from KTUC and KCCI to the Fiji Trade Union Congress and the Fiji Employers Association respectively. Trade unions have received equipment as part of ILO’s institutional capacity building exercise.

In the past, no formal DWCP document has existed. Nevertheless, ILO has undertaken a range of activities in Kiribati (see Table 2 in Annex).

## **II. Country Programme priorities**

The 2009-2012 ILO Decent Work Country Programme for Kiribati was formulated together with the tripartite constituents and fully and comprehensively reflects their priorities. The specific concerns of each of the tripartite partners were voiced in separate meetings with the tripartite partners, who agreed on three overall priorities in the tripartite meeting, held subsequent to the individual meetings. A draft of this DWCP was then sent to the constituents who were given the opportunity to provide comments. The three priorities of this DWCP reflect the constituents' needs at the present time, while also responding to Kiribati's social and economic needs, corresponding with strategies and activities spelled out in the Pacific Plan, the UNDAF and the KDP. They also take due account of the outcomes of the regional Tripartite Technical Meeting on Decent Work held in Nadi, Fiji, in November 2007, the Biennial Country Programme Review (2006-2007) for Pacific Island Countries, ILO's past initiatives as well as ILO's comparative advantages vis-à-vis other UN and bilateral development partners. ILO will concentrate on the following three country programme priorities in Kiribati within the overarching theme of "decent work for all men and women" and in recognition of

Priority 1. Promotion of decent employment opportunities, including for young women and men;

Priority 2. Application of the ILS and Kiribati's labour laws;

Priority 3. Capacity building of tripartite partners.

By focusing on these three priorities, ILO's DWCP is closely aligned with the major development frameworks in Kiribati (see Table 1 in Annex).

### **III. Country Programme outcomes, indicators and strategy**

Each Country Programme priority includes at least one outcome. Outcome indicators will be used to measure achievement of the outcomes and targets are set for each indicator. Strategy summaries describe the activities and outputs that will lead to the achievement of the outcomes. According to ILO's Declaration on the Promotion of Social Justice for a Fair Globalisation of 2008, "Gender equality and non-discrimination must be considered to be cross-cutting issues in the...strategic objectives". In this DWCP, gender mainstreaming will be used as a strategy in all DWCP activities in order to promote gender equality.

#### **Priority 1. Promotion of decent employment opportunities, including for young women and men**

##### ***Outcome 1.1: Improved decent employment opportunities for youth.***

##### **Outcome Indicators:**

1.1.1. Percentage of young women and men having received entrepreneurship training setting up their own businesses.

Target: 50% of women and 50% of men who have received entrepreneurship training will have set up their own businesses by 2012.

1.1.2. Percentage of young women and men having accessed employment support services being employed in decent employment.

Target: 50% of women and 50% of men who have accessed employment support services will be employed in decent employment by 2012.

1.1.3. A National Action Plan on Youth Employment (NAP), linked to the National Youth Policy.

Target: A National Action Plan on Youth Employment (NAP) will have been formulated and integrated into the National Youth Policy by 2012.

##### **Strategy including activities and outputs to achieve outcome 1.1:**

ILO has accumulated a stock of knowledge and practical tools and model approaches that can benefit the implementation of youth policies and programmes in Kiribati. Outcome 1.1 will be partially achieved under ILO's Youth Employment Programme (YEP). ILO's YEP is aimed at contributing to employability and decent work for young men and women in Kiribati and provides entrepreneurship training to young people to allow them to engage in small-scale businesses for self employment. Entrepreneurship training will adopt ILO methodologies already tested like the "Start and Improve Your Business" (SIYB) and the CBTREE methodology as a tool for enterprise creation which have been adapted for the Pacific. Under the YEP, entrepreneurship training will be provided to young people to start or improve their business, ensuring equal participation of men and women. In mid-2009 an ILO staff was recruited to work in Kiribati to coordinate the YEP.

Young men and women in Kiribati have limited access to employment support services that will help them secure wage or self-employment opportunities. Constituents require ILO assistance to offer such services to young entrepreneurs and students. At least 50% of these will be young women and at least 10% will be persons with disabilities. The KTUC and

individual unions will be involved in delivering entrepreneurship training and employment support services.

ILO recognises that the situation and perspectives of young women and men are different and will ensure that women are not only represented in sufficient numbers but that they are provided with appropriate opportunities and means to have their views incorporated. ILO will work with its partners in Kiribati to more closely examine the training curricula to avoid gender stereotyping, support efforts towards equal employment opportunities and move towards the equal representation and participation of women and men in all facets of social and economic development. Through its “Women’s Entrepreneurship Development and Gender Equality” (WEDGE) activities, ILO has well established experience and tools in promoting women’s entrepreneurship. The WEDGE team is part of ILO’s Small Enterprise Development (SEED) Programme and works on enhancing economic opportunities for women through a variety of approaches.

In addition, the recently developed “Asia Pacific Youth Employment Knowledge Network” (APYouthNet) platform developed by ROAP and operational at <http://ap-youthnet.iobkk.or.th/> will be used. This online community of practice is a new mechanism for providing technical advisory services and support to regional youth employment initiatives and activities which will be used under the YEP for knowledge sharing.

Strong links can be made with ILO’s International Programme on Child Labour (ILO-IPEC) which has been supporting countries to develop tools, methodologies, and good practices to better reach vulnerable youth in the areas of education and skills training as well as OSH in the work place in order to prevent the worst forms of child labour and ease the transition from school to work. ILO’s intervention and support in this important area will help Kiribati to ensure smooth school to work transition.

In collaboration with IPEC, a review of linkages between child labour and youth employment will be conducted. IPEC will work with Kiribati to collect and analyse initial data on child labour and to engage in awareness-raising on child labour at the national level. This was discussed at a meeting in Geneva between IPEC and representatives of the delegation of Kiribati in the context of the ILC on 17 June 2009.

There is an urgent need for a youth employment strategy, including national action plans and programmes, that promote productive employment for young people, taking account of the specific and particular needs of women and men. A draft government Youth Policy for 2009 – 2013 is currently being finalised in Kiribati by the Ministry of Internal and Social Affairs. This includes a strategy to increase youth employment opportunities. The YEP in collaboration with the tripartite partners and stakeholders in Kiribati has assisted the GoK to formulate a draft National Action Plan on Youth Employment (NAP). A situation analysis has led to the identification of the key policy areas of “Education and Training” with the aim of improving vocational skills of youth consistent with domestic and international market needs and standards, “Economic and Social Policies” with the aim of increasing the involvement of youth in income generating activities, “Enterprise Development” with the aims of improving training on innovative entrepreneurship and providing more sources or options for business financing, and “Labour Market Policies” with the aims of creating and promoting a decent work environment for youth, and improving access to job opportunities. The finalisation of the draft NAP as well as its subsequent implementation is the responsibility of the GoK.

Through the YEP and ILO technical assistance, the influence of the social partners will be strengthened with the aim of implementing the National Action Plan on Youth Employment integrated into the National Youth Policy.

ILO will provide technical assistance and training tools to develop policies and programmes that promote productive and decent employment for young women and men. With its expertise, tripartite constituency and global alliances, ILO can act as a catalyst in mobilising support and implementing integrated policies and programmes to effectively meet the Millennium Summit Declaration's commitment on decent and productive work for youth.

All activities under Outcome 1.1 will be inclusive of persons with disabilities and will ensure equal participation of women and men. The Human Resources Development Convention, 1975 (No. 142) will provide guidance, as this instrument covers both young persons and persons with disabilities. In addition, the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168) and the Vocational Rehabilitation (Disabled) Recommendation, 1955 (No. 99) will be used as much as possible as tools for legislation, policies and programmes dealing with persons with disabilities.

Activities under this outcome are expected to contribute to the development of Kiribati's small private sector, which however is also hampered by a range of other factors as discussed above in the background section.

### ***Outcome 1.2. Implementation of a comprehensive labour migration strategy.***

#### **Outcome indicators:**

1.2.1. A labour migration strategy developed by the tripartite constituents will be presented to Cabinet by MLHRD for endorsement and will subsequently be implemented by MLHRD.

Target: By 2012.

1.2.2. The capacity of the GoK to provide pre-departure training for all labour migrants including RSE workers to New Zealand, Pacific Seasonal Workers to Australia, seafarers and others, taking into account the specific needs of male and female workers.

Target: The number of training courses for migrant workers conducted by trainers within MLHRD is doubled by 2012, compared to 2009.

#### **Strategy including activities and outputs to achieve outcomes 1.2:**

Workers from Kiribati have a long tradition of offshore employment, particularly as seafarers and fishermen. More recently, I-Kiribati have migrated to New Zealand under the PAC scheme and have found seasonal work in New Zealand under the RSE scheme.

Pressure on people to find employment makes them vulnerable to exploitation by employers, particularly overseas. ILO will organise a workshop aimed at sharing information and best practises of labour migration from sending countries' points of view. During this workshop important labour mobility issues, the importance of sufficiently protecting migrant and seasonal workers, and of all labour migrants being well informed about their rights will be discussed. The case of the Philippines as a successful labour exporting country may be used to demonstrate best practices of labour export and the sending and use of remittances. Lessons learnt from the work of the Mekong sub-regional project to combat "Trafficking in Children and Women" (TICW) project, especially in terms of equipping migrant workers to ensure that they are less likely to be victims of exploitative work practices, will also be taken into account. The 'TICW Travel Smart, Work Smart' manuals will be of particular use in this regard. The workshop is aimed at starting the process of developing a labour exporting

strategy which will ensure that migrant workers are employed in decent work. It will also raise the understanding and capability of trade unions to negotiate decent working conditions. Following the workshop, a tripartite work group will be set up to formulate a comprehensive migration strategy adapted to the situation in Kiribati but taking into account successful strategies elsewhere.

Seasonal labour migration to New Zealand under the RSE scheme is administered by MLHRD which also conducts pre-departure training for RSE workers. ILO will conduct a training of the trainers in order to raise the GoK's long-term capacity to address a variety of issues including benefits of unionisation, workers' rights, enterprise planning and forecasting techniques (EREP), HIV/AIDS prevention as well as the specific needs of female migrants. KTUC will be involved in delivering pre-departure training, in particular in regards to union issues.

Selected activities under this outcome will therefore take place at a subregional level including other PICs sending seasonal workers to New Zealand and Australia. Given that migration involves at least two countries, the protection of the rights of migrant workers needs to be addressed at least at a bilateral and possibly a regional level. Given that all of ILO's Pacific member states experience labour migration, mostly to the developed neighbouring countries of Australia and New Zealand, ILO will promote a regional approach to labour migration, involving both sending and receiving countries. The possibility of a regional approach will be discussed and promoted with the tripartite constituents in ILO's Pacific member countries.

The Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) will be used as much as possible as tools for legislation, policies and programmes dealing with migrant workers under this outcome.

***Outcome 1.3: Skills development which is relevant to labour market needs and based on improved production and analysis of labour market statistics.***

**Outcome indicators:**

1.3.1. Conduct of Labour Market Survey.

Target: Every two years, starting in 2010.

1.3.2. The linkage between sex-disaggregated labour market statistics and policy.

Target: Youth employment policies and programmes are based on reliable, up-to-date and sex-disaggregated youth employment data.

1.3.3. Alignment of skills development to labour market needs.

Target: Skills development initiatives and policies are based on reliable, up-to-date and sex-disaggregated labour market data.

1.3.4. Number of graduates from KIT, MTC and FTC with technical or vocational qualifications.

Target: Increase by 20% in 2012, compared to 2009.

**Strategy including activities and outputs to achieve outcome 1.3:**

A report on the LMIA situation in Kiribati was completed by ILO in 2008. Since no labour market survey is in place in Kiribati, technical assistance from the pipeline LMIA Project will focus on introducing a labour force questionnaire tailored for the country's specificities. Since the pipeline LMIA Project is a regional initiative, ILO will investigate possibilities to improve the availability of labour market information through a regional or sub-regional mechanism.

MLHRD is the most appropriate governmental body where capacity to produce, analyse and use labour market statistics will be established and where such activities will take place. In order to produce proper analysis, the introduction of a central database for all labour market data is essential.

ILO will provide training for tripartite constituents to increase their capacity to analyse labour market data and use it for policy formulation. Labour market analysis will include sectoral data analysis. Improved LMIA is needed to achieve all the other priorities of the DWCP including improved policy making and the alleviation of youth employment. Currently, many statistics are not disaggregated by sex. Improved LMIA will make available sex-disaggregated statistics and thereby assist the discussion of gender aspects.

The KDP for 2008 – 2011 is fully cognizant of the outcomes of the 2008 Kiribati MDG report which highlights the lack of data as a key obstacle in the accomplishment of MDG targets and its associated indicators. ILO's activities will thus assist the GoK's efforts to improve data quality.

A desk review on labour market information has been carried out as part of the YEP. The constituents require assistance to analyse formal and non-formal education and training issues and youth employment issues, and to identify strategies to address the problem of youth unemployment, underemployment and inactivity, taking into account the particular and specific needs of young women and young men. Under its LMIA pipeline project, ILO will provide technical assistance to develop and implement strategies to collect quality youth labour market data. Under the YEP, recommendations will be made available in 2009 on how to improve national collection and analysis of data on the labour market for youth. In collaboration with IPEC, data and initial statistics will be gathered on child labour in Kiribati.

The Labour Statistics Convention, 1985 (No. 160) will be used as much as possible as a tool for legislation, policies and programmes dealing with labour statistics.

ILO has a proven track record in designing and delivering appropriate TVET training programmes. In view of the importance of human resources for Kiribati's overall development, initiatives to support skill training programmes responsive to labour market requirements will obtain a prominent place in ILO's assistance. ILO will assist this process by raising the awareness among its tripartite constituents of the importance of making skill training programmes relevant to the labour market and of TVET tailored to the particular and specific needs of women and men and persons with disabilities.

ILO will provide technical assistance to review the curricula of KIT and the Kiribati Teachers College in light of making skill development relevant for the local and international labour market. ILO will make available the Port Workers Development Modules to MTC and FTC and train staff at MTC and FTC in teaching these modules. ILO publications and reports will be made available to the MTC library. ILO will also provide technical assistance to the School of Nursing to introduce modules on OSH into the nurse training curriculum.

In addition, the Paid Educational Leave Convention, 1974 (No. 140) and the Human Resources Development Convention, 1975 (No. 142) will be used as much as possible as tools for legislation, policies and programmes on vocational guidance and training, and Nursing Personnel Convention, 1977 (No. 149) in relation to nurses in particular.

## **Priority 2. Application of the ILS and Kiribati's labour laws**

***Outcome 2.1: Significant progress in the application in law of the Fundamental Conventions and the ILS.***

### **Outcome indicators:**

2.1.1. Application in law of the four Fundamental Conventions ratified in 2009.

Target: CEARC's satisfaction with a detailed first report of good quality on the application of C.100, C.111, C.138 and C.182.

2.1.2. Compatibility of Kiribati's labour legislation with the ILS.

Target: The technical memorandum of the ILO will conclude that the new labour legislation is fully compatible with the ILO Constitution and the Fundamental Conventions.

2.1.3. The tripartite reports prepared and submitted under the ILO supervisory system.

Target: Annual reports due under the Article 22 of the ILO Constitution on ratified Conventions will be prepared involving the social partners and sent on time to the ILO.

### **Strategy including activities and outputs to achieve outcome 2.1:**

Kiribati has ratified all eight Fundamental Conventions with four Fundamental Conventions being ratified in 2009 (C.100, C.111, C.138 and C.182). Although some necessary legislative amendments have already been made, MLHRD requires further technical assistance with respect to the application in law of the recently ratified Conventions. ILO will organise awareness raising sessions with the tripartite constituents on the Fundamental Conventions and their application. ILO will organise a presentation to raise awareness of the ILS within the GoK during the session of a Ministerial Committee as well as by sending staff of MLHRD to ITC-ILO. The GoK will be encouraged to undertake for each Convention a "gap analysis" comparing existing national laws, regulations and practice with the requirements of the Convention.

ILO will support Kiribati to undertake follow-up actions based on suggestions made by the Committee of Experts with respect to C29, C87, C98 and C105.<sup>6</sup>

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<sup>6</sup> It was recommended that Kiribati revise the existent penal provisions to reinforce the applicable sanctions for the illegal exaction of forced or compulsory labour to ensure compatibility with C29). In regards to C87, the recommendations are to amend the Trade Union and Employer Organizations Act to guarantee all workers and employers the right to establish and join organizations of their own choosing; to lower the minimum membership requirement for the registration of an employers' organization; to amend the Draft Industrial Relations Amendment Bill so as to ensure that compulsory arbitration is possible only where this is in conformity with the Convention, and to remove the provision imposing heavy penalties including imprisonment for strikes in case they "expose valuable property to the risk of destruction" or imposing any penalties against a worker for having carried out a peaceful strike; to amend the Industrial Relations Code to ensure that the mediation and conciliation procedure is not so complex or slow that a lawful strike becomes impossible in practice; and to amend the draft Trade Unions and Employers' Organizations Amendment Bill to introducing provisions guaranteeing the right of employers' and workers' organizations to establish federations and to affiliate with international organizations of their own choosing. It was recommended in relation to C98 to amend the Industrial Relations Code so that prison officers are not excluded from the rights and guarantees enshrined in the Convention; and to modify the draft Act to Amend the Trade Unions and Employer Organisations Act, 1998 so that sufficiently dissuasive sanctions are imposed where a worker is dismissed or otherwise prejudiced because of his/her trade union membership or participation in union activities, and to introduce adequate protection against acts of interference in the

An ILS training session on international maritime labour standards, including the Maritime Labour Convention (MLC), 2006 and the Work in Fishing Convention, 2007 (C.188), as well as on C.111 was conducted by ILO in March 2009 and was attended by staff of MLHRD and representatives of KTUC and KCCI. Kiribati will be encouraged to ratify the MLC, 2006 and Work in Fishing Convention C.188. The MLC sets out seafarers' rights to decent conditions of work and aims at establishing a set of minimum conditions relating to the work and life of seafarers. The Work in Fishing Convention similarly sets out the rights of fishers to decent working conditions. ILO will provide technical assistance and advisory services, including the provision of draft terms of reference for the gap analysis for the MLC, 2006, and C.188. Such a gap analysis could then become the basis of tripartite discussion of the next steps forward to improve the conditions of the workers. ILO will encourage a regional approach to drafting model legislation through SPC, with the ILO Office for the Pacific Islands taking responsibility to ensure that this will be efficiently carried out.

In addition to the MLC and Fishing Convention, there are sector-specific instruments which could be ratified and implemented under the next DWCP or the next stage of this DWCP.

ILO will assist to upgrade the skills of the tripartite constituents to understand and comment on existing and proposed ILO Conventions and Recommendations and to fulfil the ILS reporting obligations. Specific training on reporting to CEARC will be provided by ILO in order to assist the constituents to discharge the reporting obligations, especially as some reports are currently overdue. This is an area where ILO's International Labour Standards Department (NORMES) and the International Labour Standards (ILS) specialists in the field will be of particular assistance. In this connection, technical assistance by NORMES will be provided towards developing and adopting national legislation necessary for ratification, as well as assistance to enable ratification and implementation of some ILO Conventions. The Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) will be used as a tool for legislation, policies and programmes dealing with tripartite consultations on ILS.

Gender equality will be implemented through the ratification of Fundamental Conventions and significant process in their application.

***Outcome 2.2: Significant progress in the application in practise of the new labour legislation***

**Outcome indicators:**

2.2.1. Introduction of a minimum wage fixing mechanism supported by the social partners.

Target: By 2010.

2.2.2. Introduction of a system for labour inspections.

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establishment and functioning of trade unions as well as rapid procedures and dissuasive sanctions in this respect. In regards to C105, it was recommended to revise the Penal Code to remove sanctions involving compulsory labour imposed on peaceful expression of non-violent views that are critical of government policy and the established political system, to revise provisions of the Industrial Relations Code so that imposing restrictions on the right to strike enforceable with sanctions involving compulsory prison labour are limited in scope to essential services in the strict sense of the term, or to public servants exercising authority in the name of the State, or to the cases of force majeure, and that no sanctions involving compulsory labour can be imposed for participation in peaceful strikes in other services.

Target: Labour inspections and the reports provided by labour inspectors will routinely cover FOA/CB, non-discrimination, forced/compulsory labour, OSH, HIV/AIDS and child labour as well as the core and ratified Conventions by 2012.

2.2.3. The number of OSH policies, programme and initiatives developed by the government, workers and employers.

Target: The number is doubled between 2008 and 2012.

**Strategy including activities and outputs to achieve outcome 2.3:**

New labour legislation became effective in Kiribati in 2009. This legislation is comparatively complex. As a consequence, employers' associations and unions have difficulties understanding the new legislation and its implications. ILO will therefore provide training for unions and employers' associations on the new labour legislation and its application, ensuring equal participation of women and men. ACTRAV and ACT/EMP will be involved in organising and delivering this training for unions and employers organisations respectively. Training will cover the areas of collective bargaining and dispute resolution, employment relations, conditions at work, and minimum wage fixing. Joint workshops will be organized with ITC-ILO and NORMES on labour law (see also outcome 2.1).

The Government requires ILO assistance to introduce a minimum wage in Kiribati.<sup>7</sup> As a result, technical assistance is required to establish a minimum wage fixing mechanism, based on the Minimum Wage Fixing Convention, 1970 (No. 131). ILO will conduct a feasibility study on a minimum wage fixing mechanism by September 2009, the results of which will be presented to the tripartite constituents by the end of 2009. A minimum wage fixing mechanism that is supported by the tripartite constituents will be introduced by 2010.

ILO will also assist Kiribati to introduce a system of labour inspections. An information seminar for the tripartite constituents will be organised on the important role of labour inspections. Technical assistance will be provided to MLHRD to introduce efficient labour inspections.

The improvement of national OSH systems and programmes will be pursued in line with the Occupational Safety and Health Convention C.155 and the Promotional Framework for Occupational Safety and Health Convention C.187, and their subsequent ratifications will be encouraged. Awareness raising workshops with tripartite constituents will be organised and technical assistance will be provided to assist the introduction and implementation of OSH policies and programmes.

KTUC, KCCI and KIMEO will be important partners involved in implementing the activities under outcome 2.2. A number of ILO Conventions and Recommendations will be used as tools for legislation, policies and programmes in relation to this outcome. C81, Protocol of 1995 to C81, R81 and R82, C129 and R133 will provide guidance in regards to the labour inspection system, C87, C98, C141 and R149, C154 and R163 in regards to FOA/CB, C100 and R90, C111 and R111 in regards to non-discrimination; C29 and R35, C105 in regards to forced/compulsory labour, C138 and R146, C182 and R190 in regards to child labour; and

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<sup>7</sup> Currently, there is no minimum wage in Kiribati. Although Article 27 of the Employment Act of 1977 provides that the "Minister by order fix minimum rates of wages for workers in any occupation or in any class or grade of any occupation in the Gilbert Islands, either generally or in any specified area or district...", the Minister has not issued an order to that effect. The GoK introduced minimum wage legislation as part of the new labour legislation, despite opposition by KCCI.

C155, Protocol of 2002 to C155 and R164, C161 and R171, C187 and R197, R97, R102 and R194 in relation to OSH.

### **Priority 3. Capacity building of tripartite partners**

*Outcome 3.1: The social partners are strengthened to provide meaningful services to their members and to extend the representation of their organisations.*

#### **Outcome indicators:**

3.1.1. The number of union members affiliated to KTUC and the number of members of KIMEO and KCCI.

Target: 30% increase by 2012, compared to 2009, with at least 30% women among the new union members and 15% women among the new members of KIMEO and KCCI.

#### **Strategy including activities and outputs to achieve outcome 3.1:**

A “capacity assessment” of the constituents will be conducted in the first year of the DWCP in order to determine the required organisational capacities and staff skills to deliver DWCP priorities. This assessment will incorporate a gender perspective in its design, implementation and outputs with a view to ensuring success in gender-sensitive implementation and thus success on indicators. ILO’s International Training Centre (ITC-ILO) will assist with the capacity assessment and determine a range of targeted training interventions over the DWCP period. Training will also be provided by ITC-ILO, preferably in Kiribati in order to ensure the participation of a larger number of participants. Training specifically targeting unions and employers’ organisations will be provided by ACTRAV and ACT/EMP respectively. As a priority, capacity-building activities will be implemented aimed at enhancing the tripartite constituents’ capacity of absorbing other programmes and activities under the DWCP.

There is a need for extending union membership to informal economy workers. In order to do that the unions need to be seen as relevant to the needs of informal economy workers. Capacity building activities will therefore involve training of KTUC in organising activities specifically targeting informal economy workers. Capacity building activities require a strategy that is long term and sustainable. For this reason, some resources will be set aside to build the infrastructure in terms of education and research capacity of the KTUC.

Some specific training and other needs of the constituents have been identified during meetings with constituents in Kiribati. Workshops for unions and employers’ organizations will be organized on OSH legislation and implementation, industrial relations, collective bargaining and minimum wages. In addition, the skills of the staff of unions and employers’ organisations in establishing and managing their organisations need to be upgraded. The capacity of KIMEO, KCCI and KTUC to effectively participate in policy implementation also needs to be improved. ILO will provide technical assistance and training to employers and unions to address these areas of need.

Under the YEP, toolkits and training for workers to increase the participation of young workers in union activities and enhance their capacities to influence policies and promote decent work will be developed and tested.

Women and persons with disabilities will be encouraged to be trade union officials with a view to representing the specific interests of women and persons with disabilities respectively in the process of collective bargaining. In order to increase women participation, men need to

be sensitized about the benefits of gender-related activities, and men need to be included as champions for these in order to avoid male backlash. It is also necessary to educate men about sharing unpaid reproductive work duties more equally with women than is currently the case. This will allow women to find time to participate in training, trade union responsibilities, and other roles of responsibility. ILO will organise awareness raising workshops for the tripartite constituents on these issues.

***Outcome 3.2: Tripartite partners are strengthened and an effective tripartite social dialogue mechanism is established***

**Outcome indicators:**

3.2.1. The number of meetings regularly held by the tripartite Decent Work Steering Committee to monitor the DWCP with on average at least 30% women.

Target: Tripartite meetings are held at least twice a year.

3.2.2. The number of collective bargaining agreements.

Target: Two per year between 2010 and 2012.

**Strategy including activities and outputs to achieve outcome 3.2:**

The strengthening of tripartite institutions is a priority in order to improve social dialogue and the functioning of tripartism. In the past, labour issues have not always been dealt with in a tripartite process.

Cabinet has taken the decision to form a Decent Work Steering Committee comprised of six Government members including the Secretaries of the Ministries of Finance, Public Service and Labour and two members each from KCCI and KTUC. ILO's DWCP and all other ILO interventions come under this Committee's responsibility and will be jointly reviewed by ILO and the Decent Work Steering Committee. The active inclusion of women in the Steering Committee will be promoted by ILO.

An analysis of the Decent Work Steering Committee as a social dialogue institution will be conducted and recommendations for improvement will be provided and implemented by ILO. The tripartite Decent Work Steering Committee is envisaged to be a supreme-decision making body in this DWCP. It will participate in preparing a detailed Monitoring and Evaluation Plan for the DWCP and will monitor the progress of the DWCP during the life of the DWCP. Increased tripartism will also lead to improved policy coherence within the Government on social and labour issues.

In addition, ILO will assist the tripartite constituents to engage in collective bargaining. The recently amended Industrial Relations Code recognises the right to collective bargaining, as opposed to the previous system under which work conditions including wages were determined by individual employers in the private sector and the 1980 National Conditions of Services in the public sector. Capacity building for employers and workers who are not familiar with the concept and practice of collective bargaining will be a significant component of ILO's technical assistance in this area. Collective bargaining will be promoted in Kiribati as an initiative targeting trade unions and employers in order that more employers and trade unions engage in regular, systematic and productive collective bargaining in good faith with a view to concluding a collective agreement on issues of common interests. In order to create and promote an enabling environment for collective bargaining, the capacity of unions and

employers for concluding CBAs has to be built with ILO assistance. ITC-ILO, ACTRAV and ACT/EMP will be involved in this activity. Increased institutional capacity of employers' and workers' organisation is expected to lead to better consultation and information sharing with the Government, particularly on key labour issues such as wages and OSH.

As part of the assistance to upgrade the skills of staff of MLHRD, KTUC, KIMEO and KCCI in collective bargaining techniques and procedures and dispute resolution Kiribati will be encouraged to ratify the Tripartite Consultation (International Labour Standards) Convention, 1976 (C.144).

In addition, C135 and R143, C151 and R159, R91, R113 will be used as tools for legislation, policies and programmes dealing with industrial relations

## **IV. Implementation and management**

The programme will be implemented by the ILO in cooperation with the GoK, employers' and trade unions' organisations and on the basis and to the extent resources are available or can be mobilised. In addition to working closely with the tripartite constituents, ILO will attempt to mobilise support of the UNRC and to have joint programmes with other UN organizations. The implementation plan will be developed by ILO after the document is signed and will include biennial milestones with due regard for outputs by the ILO and tripartite constituents, including other implementing partners. The implementation plan will show how tripartite partners are involved in the implementation phase of the programme and what outputs and deliveries are expected from each implementing partner. Outputs and resources will be identified in accordance with current and pipeline projects, their goals and objectives. Extra-budgetary resources and ILO's regular budget resources will be used to finance the implementation of this programme. The ILO network will continue to seek further funding. A costed implementation plan will be developed on a biennial basis. This will take into account the many overlapping interests of ILO and donor agencies. The impact of the global financial downturn will be monitored for potential risks in order for the DWCP to be responsive to any changes that may happen.

The implementation of the programme will be facilitated by the different ILO units including the ILO Office for the Pacific Island Countries in Suva as the lead unit, the Sub-Regional Office (SRO) in Manila including the workers' and employers' specialists based in the SRO, the Regional Office in Bangkok, the International Training Centre of the ILO (ITC-ILO) in Turin, and technical units at headquarters in Geneva on the side of ILO, and the tripartite Decent Work Steering Committee on the side of Kiribati. The Programme implementation plan envisages close collaboration between ILO and tripartite constituents in Kiribati. ILO will continue and expand its cooperation with other stakeholders in Kiribati such as AusAID, NZAID, the EU and UNICEF.

The objectives of the programme will be pursued in particular through technical cooperation projects, advisory services, seminars and capacity building. Given the increasing number of DWCPs being developed in the Pacific Island countries, efforts to mobilise resources and share knowledge within the region will be made.

## **V. Performance monitoring and evaluation arrangements**

Monitoring and evaluation of the progress of implementation will be undertaken in order to ensure progress towards achieving results as defined in country outcomes. A detailed Monitoring and Evaluation Plan for the duration of the DWCP will be prepared by the ILO Office for Pacific Island Countries in Suva with the assistance of the tripartite Decent Work Steering Committee within the first six months of the DWCP. The Monitoring and Evaluation template designed by the RO in Bangkok will be used. The RO in Bangkok will be responsible for overseeing the Monitoring and Evaluation Plan which will also define the role of the ILO Office for Pacific Island Countries, and implementing partners in monitoring, reporting and evaluating the DWCP. Since DWCPs are being developed for all ILO member states in the Pacific, there is scope for PICs to share best practices within the region, especially as there are considerable overlaps in the priorities across the region.

The ILO Office for Pacific Island Countries in Suva will also prepare six-monthly output progress reports and annual outcome progress reports. Adjustments to the Monitoring and

Evaluation Plans can be made on an annual basis taking account of the progress reports and/or self-evaluation, including changing situations. Workplans will be defined on a biennial basis, based on the implementation plan.

In response to progress reports, adjustments will be made, if necessary, in order to secure the most efficient implementation of the DWCP, and take into account new developments and emerging issues. A comprehensive review of the DWCP will be done in 2010.

## Annex

**Table 1: Alignment of DWCP priorities with major development frameworks in Kiribati**

Development framework	Priorities	Corresponding DWCP priorities
Kiribati Development Plan, 2008-2011	Key policy area 1: Human resource development	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 2: Economic growth and poverty reduction: Increase employment rate and employment opportunities	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 3: Health: Minimize and control incidence of HIV/AIDS	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 4: Environment	<i>Promoting green jobs which is a possible ILO contribution to the UNDAF</i>
	Key policy area 5: Governance: Improve and expand attention to the problems and/or issues of youth	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 5: Governance: Improve employment conditions	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 5: Governance: Enhance support to disadvantaged and vulnerable groups	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Key policy area 5: Governance: Strengthen public sector service delivery	DWCP Priority 2: Ratification and application of the ILS and Kiribati's labour laws; DWCP Priority 3: Capacity building of tripartite partners
	Key policy area 5: Governance: Improve and expand data or statistics for effective planning and policy formulation	<i>LMIA activities under DWCP Priority 1</i>
	Key policy area 6: Infrastructure	n/a
Pacific Plan, adopted in 2005 by Pacific leaders	1) Increased sustainable trade (including services), and investment;	n/a
	Priority 2: Improved efficiency and effectiveness of infrastructure development and associated service delivery;	n/a
	Priority 3: Increased private sector participation in, and contribution to, development;	n/a
	Priority 4: Reduced poverty;	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Priority 5: Improved natural resource and environmental management;	n/a
	Priority 6: Improved health	n/a
	Priority 7: Improved education and training	DWCP Priority 1: Promotion of decent employment opportunities, including for

		young women and men
	Priority 9: Enhanced involvement of youth	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Priority 8: Improved gender equality	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
	Priority 10: Increased levels of participation and achievements in sports	n/a
	Priority 11: Recognised and protected cultural values, identities and traditional knowledge	n/a
	Priority 12: Improved transparency, accountability, equity and efficiency in the management and use of resources in the Pacific	DWCP Priority 3: Capacity building of tripartite partners
	Priority 13: Improved political and social conditions for stability and safety	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
MDGs, adopted in 2000 by all countries, to be achieved by 2015	Goal 1: Eradicate extreme poverty and hunger	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Goal 2: Achieve universal primary education	n/a
	Goal 3: Promote gender equality and empower women	<i>All activities in the DWCP will be inclusive of women and persons with disabilities</i>
	Goal 4: Reduce child mortality	n/a
	Goal 5: Improve maternal health	n/a
	Goal 6: Combat HIV/AIDS, malaria and other diseases	DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men
	Goal 7: Ensure environmental sustainability	<i>Promoting green jobs which is a possible ILO contribution to the UNDA</i>
	Goal 8: Develop a Global Partnership for Development	n/a
UNDAF, 2008-2012	1) Equitable economic growth and poverty reduction;	DWCP Priority 2: Application of the ILS and Kiribati's labour laws; DWCP Priority 1: Promotion of decent employment opportunities, including for young women and men <i>LMIA activities under DWCP Priority 1</i>
	2) Good governance and human rights;	DWCP Priority 2: Application of the ILS and Kiribati's labour laws; DWCP Priority 3: Capacity building of tripartite partners
	3) Equitable social and protection services;	n/a
	4) Sustainable environmental management.	<i>Promoting green jobs which is a possible ILO contribution to the UNDAF</i>

**Table 2: Past and present ILO activities in Kiribati**

Area / Project name	Background / Aims	ILO activities	Duration
<p>Technical cooperation project: Sub-Regional Programme on Education, Employability and Decent Work for Youth in the Pacific Island Countries (RAS/06/53/NET)</p>	<ul style="list-style-type: none"> <li>- Enhancing the knowledge of how to better address the challenges faced by young women and men in securing decent wage and self-employment;</li> <li>- Strengthening the capacity of governments, employers' and worker's organizations to take a more proactive role in developing national and local policies as well as other practical initiatives to achieve Decent Work for youth;</li> <li>- Facilitating greater access by young men and women to support services for wage and self-employment through new tools and methodologies.</li> </ul>	<ul style="list-style-type: none"> <li>- Sub Regional TOT on Community Based Training for Rural Economic Empowerment (CBTREE): August 2008</li> <li>- Sub Regional Workshop for Young Trade Union Leaders on Youth Employment &amp; Decent Work: September 2008</li> <li>- Sub Regional TOT on Start &amp; Improve Your Business (SIYB) for Youth: November 2008</li> <li>- Sub Regional Workshop on National Action Plan (NAP) on Youth Employment: November 2008</li> <li>- Kiribati One Fund: December 2008</li> <li>- Desk Review on Youth Employment: 2008</li> <li>- Labour Market Information in the Pacific: 2008</li> <li>- National Workshop for Young Trade Union Leaders: February 2009</li> <li>- National Workshop on Formulation National Action Plan (NAP) on Youth Employment: March 2009</li> <li>- National Workshop on Labour Market Information &amp; Analysis: April 2009</li> <li>- National Workshop on Start &amp; Improve Your Business (SIYB) for Youth: May 2009</li> </ul>	<p>April 2008 - 2010</p>
<p>Technical cooperation project: Social Security in Pacific Island Countries (funded by the Netherlands)</p>	<ul style="list-style-type: none"> <li>- The main social security programme in Kiribati is the retirement scheme provided through the Kiribati National Provident Fund;</li> <li>- There are possibilities to extend social security by introducing a health insurance component through the KNPF.</li> </ul>	<ul style="list-style-type: none"> <li>- Conduct of baseline social security studies with the aim of determining the areas of productivity improvement of provident fund institutions as well as possible extension of coverage and feasibility studies on extending social security.</li> </ul>	<p>2004-2006</p>
<p>Labour market information and analysis' (LMIA)</p>	<ul style="list-style-type: none"> <li>- Improving labour market information and analysis;</li> <li>- Providing data for the Youth Employment Programme.</li> </ul>		<p>Pipeline project</p>

Improving OSH in Ports	- Improving working conditions and the welfare of maritime workers and of workers involved in cargo handling.		Pipeline project
Skills development	- Increasing youth employment.	- Development of non-formal technical and vocational training programmes.	Ongoing
Capacity building	- Awareness raising among tripartite constituents on collective bargaining, ILS, reporting obligations to ILO supervisory mechanism, labour laws, OSH, HIV/AIDS.	- Regional workshops, training at ITC-ILO and attachments in Fiji for employers and trade unions; - Equipment provided to trade unions.	Ongoing
OSH	- Improving OSH in line with the Global Strategy on OSH through the application of the systems approach and the reinforcement of national OSH systems and programmes.	- Awareness raising through workshops for tripartite constituents; - Sub-regional seminars on OSH run by the ILO Office for the Pacific Islands and ILO's International Training Centre (ITC-ILO) in Turin.	Ongoing