

SAINT HELENA, ASCENSION, AND TRISTA DA CUNHA

NO ADVANCEMENT

Although research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha, in 2023, the government made no advancement in efforts to prevent the worst forms of child labor. In addition, while Saint Helena and Tristan da Cunha have established a mechanism for the enforcement of laws related to child labor, Ascension has not. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. Further, Saint Helena, Ascension, and Tristan da Cunha lack legislation to criminally prohibit forced labor, debt bondage, slavery, and child trafficking.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Saint Helena, Ascension, and Tristan da Cunha's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ratify the UN CRC Optional Protocol on Armed Conflict.

Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.

Ratify the Palermo Protocol on Trafficking in Persons.

Establish a minimum age for work of at least age 15 in Ascension.

Establish age 18 as the minimum age for hazardous work and identify hazardous occupations and activities prohibited for children in Ascension.

Ensure that forced labor, debt bondage, and slavery are criminally prohibited.

Criminally prohibit the trafficking of children for labor exploitation.

Criminally prohibit the use of children in illicit activities in Ascension.

Criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Enforcement

Establish a functioning labor inspectorate on Ascension for the enforcement of labor laws and regulations, including laws pertaining to child labor.













LEGAL FRAMEWORK FOR CHILD LABOR

Each United Kingdom (UK) overseas territory has its own constitution, which sets out its system of government and its relationship with the UK, and provides for a governor or commissioner, an elected legislature, and ministers that are responsible for domestic affairs, such as internal security (police), immigration, education, and healthcare. Saint Helena, Ascension, and Tristan da Cunha are considered one territory, but they are each self-governing. However, all three territories share a governor and attorney general. These territories incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws; several Saint Helena laws

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also apply to Tristan da Cunha. Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that Territory. The UN Convention on the Rights of the Child (CRC) and ILO C.182 have been extended to and accepted by Saint Helena, Ascension, and Tristan da Cunha. The Governments of Saint Helena, Ascension, and Tristan da Cunha have each established laws and regulations related to child labor. However, the laws prohibiting forced labor in Saint Helena, Ascension, and Tristan da Cunha are also not sufficient because debt bondage and slavery are not criminally prohibited.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 16 Years		Sections 157B and 158 of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha)
Minimum Age for Hazardous Work, 18 Years		Sections 157A, 157B, and 158 of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha)
Identification of Hazardous Occupations or Activities Prohibited for Children		Section 157B of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha)
Prohibition of Slavery, Debt Bondage, and Forced Labor		Sections 8 (Saint Helena), 125 (Ascension), and 190 (Tristan da Cunha) of the Constitution Order.
Prohibition of Child Trafficking		Articles 57–60 of the Sexual Offenses Act (Saint Helena, Ascension, and Tristan da Cunha)
Prohibition of Commercial Sexual Exploitation of Children		Articles 47–51 of the Sexual Offenses Act (Saint Helena, Ascension, and Tristan da Cunha); Sections 145, 147, 157A, and 157C of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha); Sections 48 and 50 of Ascension's Child Welfare Ordinance (Ascension)
Prohibition of Using Children in Illicit Activities		Sections 157A and 157C of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha)
Minimum Age for Voluntary State Military Recruitment	N/A†	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†	
Prohibition of Military Recruitment by Non-state Armed Groups		
Compulsory Education Age, 16 Years		Section 34 of the Education Ordinance (Saint Helena); Ascension Island Education Policy (Ascension); Section 3 of the Education By-Law (Tristan da Cunha)
Free Public Education		Sections 16 (Saint Helena), 132 (Ascension), and 198 (Tristan da Cunha) of the Constitution Order; Section 43 of the Education Ordinance (Saint Helena); Ascension Island Education Policy (Ascension)

* Country has no conscription

† Country has no standing military

While Saint Helena and Tristan da Cunha meet the international standard for the minimum age for work, Ascension does not because it has set the minimum age for work at age 14, which is below the international standard of age 15. Ascension allows children to work in part-time jobs that meet the criteria of light work laid out in the ordinance. Ascension also has Youth Trainee Agreements, which act as apprenticeships for children who leave school at age 14 and which serve as a continuation of their education. Full-time employment can only be offered to those over the age of 18. Furthermore, while Saint Helena and Tristan da Cunha have set their minimum age for hazardous work at age 18 and have identified hazardous occupations for children, Ascension has not set either a minimum age for hazardous work or developed a list of hazardous occupations for children.

Saint Helena and Tristan da Cunha have a law against the use of children in illicit activities, but this law does not apply to Ascension. The laws prohibiting forced labor in Saint Helena, Ascension, and Tristan da Cunha are also not sufficient because debt bondage and slavery are not criminally prohibited. In addition, while the UK Sexual Offenses Act, which is applicable to this territory, prohibits trafficking for sexual exploitation, it does not specifically address the trafficking of children, and there are no laws prohibiting the trafficking of children for labor exploitation.



ENFORCEMENT OF LAWS ON CHILD LABOR

Saint Helena and Tristan da Cunha have established an institutional mechanism for the enforcement of laws related to child labor. However, the absence of a labor inspectorate on Ascension may impede the enforcement of child labor laws there.

Agencies Responsible for Child Labor Law Enforcement

Labor Regulating Authority: Protects and promotes rights of employees in Saint Helena and Tristan da Cunha. Also responsible for investigating claims made by employees.



COORDINATION, POLICIES, AND PROGRAMS

As there is no evidence of a child labor problem, there appears to be no need for policies, programs, or a mechanism to coordinate efforts to address child labor.

*For information about USDOL's projects to address child labor around the world, visit dol.gov/ILABprojects
For references, please visit dol.gov/ChildLaborReports*