

In 2015, Montserrat made no advancement in efforts to prevent the worst forms of child labor. Although no information suggest that the worst forms of child labor are a problem, a gap in legislation prohibiting the use of children in illicit activities may leave children vulnerable to the worst forms of child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Montserrat.(1)

Table 1 provides key indicators on children’s work and education in Montserrat. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		68.9




*Source for primary completion rate: Data from 2007 published by UNESCO Institute for Statistics, 2015.(2)
Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.(3)*

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (BOTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they are not part of the UK. They are self-governing, except in the areas of foreign affairs and defense.(4) Domestic UK law does not generally apply to BOTs, unless explicitly extended, and conventions ratified under UK law need to be officially extended to BOTs.(4)

The following convention has been extended to Montserrat (Table 2).

Table 2. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 3).

Table 3. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Part 9 of the Montserrat Labor Code (5)
Minimum Age for Hazardous Work	Yes	18	Parts 9 and 10 of the Montserrat Labor Code (5)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Part 9 of the Montserrat Labor Code (5)
Prohibition of Forced Labor	Yes		Schedule II, No. 55 of the Constitution of Montserrat; and Part VIII-A, Sections 138A-B and D and Part XIV-A of the Montserrat Penal Code (6, 7)

Table 3. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A-B and Part XIV-A of the Montserrat Penal Code (6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Parts VIII-A, Sections 138A-B and Part XIV-A of the Montserrat Penal Code (6)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A		
Compulsory Education Age	Yes	16	Chapter II, Part 3 in the Montserrat Education Act (8)
Free Public Education	Yes		Chapter II, Part 1 in the Montserrat Education Act (8)

* No conscription (9-11)

While the Montserrat Labor Code prohibits the employment of children under age 16, it includes an exception allowing the employment of children older than age 14 in light work. In addition, children under age 18 may not be employed at night or in occupations designated as hazardous.(5) The Minister of Labor for Montserrat is entrusted with the responsibility of deciding what constitutes hazardous work.(5) Research did not find any law or regulation prohibiting the use of children in illicit activities.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Royal Montserrat Police Service	Enforce laws involving children.(12)
Department of Social Services	Employ social workers to work on child protection issues.(12)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

The Government of Montserrat participated in a program that may include the goal of preventing child labor, including its worst forms (Table 5).

Table 5. Social Programs to Address Child Labor

Program	Description
UNICEF Program on Children's Rights, Policies, and Education, Multi-country (2012–2016)	UNICEF program to address children's rights in the Eastern Caribbean. Ensures the Government complies with convention reporting requirements on children's rights, and assists the Government with developing policies and laws to protect all children, especially vulnerable children.(13) Also includes preschool and other educational opportunities for vulnerable children.(13)

VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Montserrat (Table 6).

Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish laws regarding the use of children for illicit activities.	2011 – 2015

REFERENCES

1. U.S. Embassy- London. *reporting, January 15, 2015*.
2. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed December 16, 2015]; <http://data.uis.unesco.org/>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary. A high ratio indicates a high degree of current primary education completion. Because the calculation includes all new entrants to last grade (regardless of age), the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
3. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received December 18, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
4. U.S. Embassy Official. E-mail communication to USDOL official. May 9th, 2014.
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6. Government of Montserrat. *Penal Code (Amendment) Act 2010*. 2010. <http://agc.gov.ms/wp-content/uploads/2009/03/No.-7-of-2010-Penal-Code-Amendment-Act-20102.pdf>
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10. United Kingdom. *United Kingdom Armed Forces Act*. 2006. Pg. 186. http://www.legislation.gov.uk/ukpga/2006/52/pdfs/ukpga_20060052_en.pdf [Source on File].
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12. U.S. Embassy- London official. E-mail communication to USDOL official. March 30, 2012.
13. UNICEF. *Eastern Caribbean*, UNICEF, [Online] [cited February 10, 2016]; <http://www.unicef.org/easterncaribbean/activities.html>.