

Saint Helena, Ascensión, and Tristán da Cunha (formerly called Saint Helena)

NON-INDEPENDENT COUNTRIES AND TERRITORIES

NO ADVANCEMENT

In 2015, Saint Helena, Ascensión, and Tristán da Cunha made no advancement in efforts to eliminate the worst forms of child labor. Although information suggests that the worst forms of child labor are not a problem, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor. The Government lacks legislation prescribing a minimum age for work, and the minimum age for work on vessels, which the government has identified as hazardous, is too low. There are legislative gaps in the prohibition of trafficking of children for labor exploitation and the use of children for commercial sexual exploitation. These gaps make 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 Saint Helena, Ascensión, and Tristán da Cunha.(1, 2)

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.(3) Domestic UK law does not generally apply to the BOTs, unless it is explicitly extended to them, and conventions ratified under UK law need to be officially extended to the BOTs.(3)

The following conventions have been extended to Saint Helena, Ascensión, and Tristán da Cunha (Table 1).

Table 1. 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 2).

Table 2. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	Yes	18	Section 158 of Welfare of Children Ordinance (4, 5)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section 158 (2) of the Welfare and Children Ordinance (5)
Prohibition of Forced Labor	Yes		Sections 8 (Saint Helena), 125 (Ascensión) and 190 (Tristán da Cunha) of the Constitution Order 2009; Articles 57–60 of UK Sexual Offences Act 2003 (6, 7)
Prohibition of Child Trafficking	Yes		Articles 57–60 of UK Sexual Offences Act 2003 (6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 47–51 of UK Sexual Offences Act 2003 (6); Sections 145 and 147 of Welfare of Children Ordinance(15)
Prohibition of Using Children in Illicit Activities	No		

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Table 2. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	N/A*†		
Compulsory Education Age	Yes	16	Saint Helena and Tristán da Cunha—Section 34 of the Education Ordinance (1, 8)
		15‡	Ascensión—Ascensión Island Education Policy (9)
Free Public Education	Yes		Saint Helena—Section 16, Ascensión—Section 132, and Tristán da Cunha—Section 198, Constitution Order 2009 ; Saint Helena—Section 43, Education Ordinance ; and Ascensión—Education Policy 2010 (7-9)

* No conscription (10)

† No standing military (3, 10)

‡ Age calculation based on available information

Saint Helena, Ascensión, and Tristán da Cunha do not have laws establishing a minimum age for work.(11) The minimum age of 15 for work on vessels is not in compliance with international standards because the government of Saint Helena has reported that work on fishing vessels is hazardous.(1, 4).

The laws prohibiting forced labor in Saint Helena, Ascensión, and Tristán da Cunha are not sufficient as debt bondage and slavery are constitutionally, but not criminally, prohibited.(7) While the UK Sexual Offences Act 2003, which is applicable to this territory, prohibits trafficking for sexual exploitation, there are no laws prohibiting the trafficking of children for labor exploitation.(6, 12)

The compulsory education age is ambiguous for Ascensión Island; the Ascensión Island Education Policy notes that education is compulsory from age 5 until children take their General Certificate of Secondary Education exams.(9)

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

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 THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

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 Saint Helena, Ascensión, and Tristán da Cunha (Table 3).

Table 3. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a legal minimum age for work in compliance with international standards.	2012 – 2015
	Ensure that types of hazardous work prohibited for children are comprehensive.	2013 – 2015

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Table 3. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2015
	Establish laws to prohibit the use of children in illicit activities.	2015

REFERENCES

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