

# Saint Helena, Ascension, and Tristan da Cunha

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Although research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha, in 2022, the government made minimal advancement in efforts to prevent the worst forms of child labor. In 2022, the Government of Ascension enacted the Employment Ordinance, which details the conditions under which children may work, including acceptable work activities and hours. However, despite new initiatives to address child labor, Saint Helena, Ascension, and Tristan da Cunha is assessed as having made only minimal advancement because it continued to implement a practice that delays advancement to eliminate child labor. Research indicates that Saint Helena, Ascension, and Tristan da Cunha lacks a functioning labor inspectorate for the enforcement of labor laws and regulations. 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. In addition, Saint Helena, Ascension, and Tristan da Cunha lacks legislation to criminally prohibit forced labor, debt bondage, slavery, and child trafficking.




### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha. (1)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories recognize the jurisdiction and sovereignty of the UK but are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (2) Domestic UK law does not generally apply unless explicitly extended to these territories. Saint Helena, Ascension, and Tristan da Cunha are three separate territories that generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws; several Saint Helena laws also apply to Tristan da Cunha. (2-4) 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. (2,5) The following Conventions have been extended to and accepted by Saint Helena, Ascension, and Tristan 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 Governments of Saint Helena, Ascension, and Tristan da Cunha have each established laws and regulations related to child labor (Table 2). However, gaps exist in their legal framework to adequately protect children from the worst forms of child labor, including the prohibition of forced labor.

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**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Sections 157B and 158 of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha) (4,6)
Minimum Age for Hazardous Work	Yes	18	Sections 157A, 157B, and 158 of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha) (4,6)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 157B of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha) (4,6)
Prohibition of Forced Labor	No		Sections 8 (Saint Helena), 125 (Ascension), and 190 (Tristan da Cunha) of the Constitution Order: (7)
Prohibition of Child Trafficking	No		Articles 57–60 of the Sexual Offenses Act (Saint Helena, Ascension, and Tristan da Cunha) (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		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) (4,6,8-10)
Prohibition of Using Children in Illicit Activities	Yes		Sections 157A and 157C of the Welfare of Children Ordinance (Saint Helena and Tristan da Cunha) (4,6)
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	No		
Compulsory Education Age	Yes	16	Section 34 of the Education Ordinance (Saint Helena); Ascension Island Education Policy (Ascension); Section 3 of the Education By-Law (Tristan da Cunha) (11-13)
Free Public Education	Yes		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) (7,11,12)

\* Country has no conscription (2)

† Country has no standing military (14)

Saint Helena, Ascension, and Tristan da Cunha are considered one territory, but they are each self-governing. (15) However, all three territories share a governor and attorney general. (16) In January 2022, the Government of Ascension enacted the Employment Ordinance prescribing conditions under which children may work, including acceptable work hours and types of work. The ordinance took effect on June 20, 2022. (1,17)

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. (4,6,17) 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. (1,17) Full-time employment can only be offered to those over the age of 18. (1) 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. (4,6,9,10)

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. (4,6,10) 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. (7,10) 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. (8)

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### III. ENFORCEMENT OF LAWS ON CHILD LABOR

Saint Helena, Ascension, and Tristan da Cunha lacks a functioning labor inspectorate for the enforcement of labor laws and regulations. (I)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

### V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. (I)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Saint Helena, Ascension, and Tristan da Cunha (Table 3).

**Table 3. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2020 – 2022
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2020 – 2022
	Ratify the Palermo Protocol on Trafficking in Persons.	2020 – 2022
	Ensure that Ascension's laws establish a minimum age for work of at least age 15.	2022
	Ensure that Ascension establishes age 18 as the minimum age for hazardous work and identifies hazardous occupations and activities prohibited for children.	2013 – 2022
	Ensure that forced labor, debt bondage, and slavery are criminally prohibited.	2017 – 2022
	Ensure that the law criminally prohibits the trafficking of children for labor exploitation.	2014 – 2022
	Ensure that the law criminally prohibits the use of children in illicit activities in Ascension.	2015 – 2022
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2022
Enforcement	Establish a functioning labor inspectorate for the enforcement of labor laws and regulations, including laws pertaining to child labor.	2021 – 2022

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