



FALKLAND ISLANDS

NO ADVANCEMENT

Although research found no evidence that child labor exists in the Falkland Islands (Islas Malvinas), in 2023, the government made no advancement in efforts to prevent the worst forms of child labor. In addition, although 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, there is no functioning labor inspectorate in the Falkland Islands (Islas Malvinas) to enforce labor laws. Moreover, the minimum age of 14 for work and 16 for hazardous work are not in compliance with international standards, and the law does not prohibit adults from using, procuring, and offering a child for the production and trafficking of drugs.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Falkland Islands (Islas Malvinas).



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in the Falkland Islands' (Islas Malvinas) 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.

Raise the minimum age for work from 14 to 16 to align with the compulsory education age.

Raise the minimum age for hazardous work from 16 to 18 and ensure that national law determines prohibited work activities for children.

Criminally prohibit the harboring and receipt of trafficked children.

Criminalize the use, procurement, and offering of a child for pornographic performances.

Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.

Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.

Enforcement

Establish a labor inspectorate to enforce labor laws, 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. The Falkland Islands (Islas Malvinas) has its own Constitution, and the legislative framework consists of Ordinances made by the Falkland Islands Legislative Assembly and applied enactments from the United Kingdom which the Falkland Islands (Islas Malvinas) has chosen to apply or which are directly applied. 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. While the UN Convention on the Rights of the Child (CRC) and ILO Convention 182 on the Worst Forms of Child Labor (ILO C. 182) have been extended to and accepted by the Falkland Islands (Islas Malvinas), it has not ratified other key

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international conventions concerning child labor, including ILO C. 138, UN CRC Optional Protocol on Armed Conflict, UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and Palermo Protocol on Trafficking in Persons. In addition, the laws of the Falkland Islands (Islas Malvinas) do not meet international standards on prohibitions related to hazardous work, the use of children in illicit activities, commercial sexual exploitation of children, and military recruitment by non-state armed groups.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 14 Years		Section 3 of the Employment of Children Ordinance
Minimum Age for Hazardous Work, 16 Years		Section 3 of the Employment of Children Ordinance; Sections 2, 3, and 4A of the Employment of Women, Young Persons, and Children Act
Identification of Hazardous Occupations or Activities Prohibited for Children		Section 3 of the Employment of Children Ordinance; Section 3 of the Employment of Women, Young Persons, and Children Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		Section 117 of the Crimes Ordinance of 2014; Chapter 1, Section 4 of the Constitution Order
Prohibition of Child Trafficking		Section 87 of the Crimes Ordinance of 2014; Part 1, Sections 57–60 of the Sexual Offenses Act
Prohibition of Commercial Sexual Exploitation of Children		Sections 259–263 of the Crimes Ordinance of 2014; Part 1 of the Sexual Offenses Act
Prohibition of Using Children in Illicit Activities		
Minimum Age for Voluntary State Military Recruitment, 17 Years		Article 10 of the Falkland Islands Defense Ordinance
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		Part I, Section 7(3) of the Education (Governance and Accountability) Ordinance; Chapter 1, Section 12 of the Constitution Order
Free Public Education		Chapter 1, Section 12 of the Constitution Order

*Country has no conscription

The minimum age of 14 for work and the minimum age of 16 for hazardous work are not in compliance with international standards. In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. The Government of the Falkland Islands (Islas Malvinas) has not determined by national law or regulation the types of hazardous work prohibited for children, other than industrial undertakings. Laws do not define harboring or receipt of a child as a form of human trafficking and therefore laws against child trafficking do not meet international standards. International standards against commercial sexual exploitation of children are not met because the law does not criminally prohibit the use, procuring, and offering of a child for pornographic performances. The law also does not prohibit adults from using, procuring, or offering a child for the production or trafficking of drugs. In addition, there is no existing law that criminally prohibits the recruitment of children under age 18 by non-state armed groups.



ENFORCEMENT OF LAWS ON CHILD LABOR

The Falkland Islands (Islas Malvinas) has established an institutional mechanism for the enforcement of laws related to the worst forms of child labor. However, the absence of a labor inspectorate may impede the enforcement of child labor laws.

Agencies Responsible for Child Labor Law Enforcement

Royal Falkland Islands Police: Enforce the laws of the Falkland Islands (Islas Malvinas), including those protecting children against abuses. Participate in the Safeguarding Children Board and lead the Board’s trainings on understanding child sexual exploitation.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>As there is no evidence of a child labor problem, there appears to be no need for a mechanism to coordinate efforts to address child labor.</p>	
<p>Key Policies Related to Child Labor</p> <p>As there is no evidence of a child labor problem, there appears to be no need for policies to address child labor.</p>	
<p>Key Social Programs to Address Child Labor</p> <p>As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, the Falkland Islands (Islas Malvinas) has established a social program that includes a goal of preventing child labor.</p>	<p>Early Help Service: Administered by Social Services Department. Provides material and financial assistance to vulnerable households with children.</p>

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