

In 2014, the British Virgin Islands made no advancement in efforts to prevent the worst forms of child labor. Although no information suggests that the worst forms of child labor are a problem, the Government appears to lack a complete preventive legal framework to protect all children. The Government has not developed a list of hazardous occupations prohibited for children.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Research found no evidence that child labor, including its worst forms, exists in the British Virgin Islands.(1)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories (OTs) 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. Domestic UK law does not generally apply to OTs, unless explicitly extended.(2)

The following convention has been extended to the British Virgin Islands (Table 1).(2)

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 concerning child labor, including in its worst forms (Table 2).

Table 2. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 128 of the Labor Code of 2010 (3)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code of 2010 (3)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 14 of the Constitutional Order 2007; Article 130 of the Labor Code of 2010 (3, 4)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code, Article 130 of the Labor Code of 2010 (3, 5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code of 2010 (3, 5)
Prohibition of Using Children in Illicit Activities	Yes		Sections 201A, 284A of the Criminal Code; Article 130 of the Labor Code of 2010 (3, 5)
Minimum Age for Compulsory Military Recruitment	N/A*†		
Minimum Age for Voluntary Military Service	Combat: Yes	18	Section 328.2 of the UK Armed Forces Act 2006 (2, 6)
	Noncombat: Yes	16	
Compulsory Education Age	Yes	16	Section 1 of the Education Act 2004 (7)

British Virgin Islands

NO ADVANCEMENT

NON-INDEPENDENT COUNTRIES AND TERRITORIES

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

Standard	Yes/No	Age	Related Legislation
Free Public Education	Yes		Article 22 of the Constitutional Order of 2007; Section 17 of the Education Act 2004 (4, 7)

* No standing military (2)

† No conscription (2)

The British Virgin Islands has no standing military or defense force, but citizens may join the UK military.(2) The UK Government has introduced systems to track the ages and locations of individual soldiers, to prevent those under age 18 from being deployed into hostilities. Deployment of members of the armed forces who have not yet reached 18 years is permitted when there is a genuine need and the situation is urgent.(8-11)

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

Even though there is no evidence of a problem, the Government has established an institutional mechanism for the enforcement of labor laws for the British Virgin Islands (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce labor laws and collect data and statistics on violations of the Labor Code.(3)

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 coordinating mechanisms 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

In 2014, the Government of the British Virgin Islands participated in a program that may have an impact on child labor (Table 4).

Table 4. Social Programs to Address Child Labor

Program	Description
Child Safeguarding in the Overseas Territories Regional Project, 2014–2016	A \$1.2 million, 3-year project funded by the Department for International Development and implemented by UNICEF to increase the Governments' capacity to safeguard children in the Eastern Caribbean.(12)

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

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the British Virgin Islands (Table 5).

Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Develop a list of hazardous occupations prohibited for children under age 18.	2012 – 2014

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