# Anguilla

# Minimal Advancement

In 2013, Anguilla made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government participated in an initiative with the UNDP to assist at-risk youth. The Ministry of Social Development continued to sponsor the National Conference on Youth and Development, in which the National Youth Council made recommendations on the protection of children and access to education. While the extent of the problem is unknown, some children in Anguilla are reported to engage in the worst forms of child labor, specifically in commercial sexual exploitation. The Government appears to lack a list of hazardous occupations prohibited to children. It also lacks a developed framework and targeted programs that address the commercial sexual exploitation of children.

# Prevalence and Sectoral Distribution of Child Labor

While the extent of the problem is unknown, some children in Anguilla are reported to engage in the worst forms of child labor, specifically in commercial sexual exploitation.([1-3](#_ENREF_1)) Table 1 provides key indicators on children’s work and education in Anguilla. 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**

|  |  |
| --- | --- |
| **Working children, ages 5 to 14:** | Unavailable |
| **School attendance, ages 5 to 14 (%):** | Unavailable |
| **Children combining work and school, ages 7 to 14 (%):** | Unavailable |
| **Primary completion rate (%):** | 78.7 |

*Source for primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2014*.([4](#_ENREF_4))

*Source for all other data: Understanding Children’s Work Project’s analysis, 2014*.([5](#_ENREF_5))

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

|  |  |
| --- | --- |
| **Sector/Industry** | **Activity** |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation\* ([1-3](#_ENREF_1), [6](#_ENREF_6), [7](#_ENREF_7)) |
| Used in the production of pornography\* ([1](#_ENREF_1)) |

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Some children reportedly perform sex acts in exchange for money and gifts.([1](#_ENREF_1), [6](#_ENREF_6)) Evidence suggests that in some cases these transactions may occur with the knowledge, consent, or initiation of the child’s parent.([1](#_ENREF_1), [6](#_ENREF_6)) There are also reports that non-Anguillan migrant children may be involved in commercial sexual exploitation.([1](#_ENREF_1)) Research has found no evidence that the Government of Anguilla collects or disseminates information regarding the prevalence and nature of the commercial sexual exploitation of children and other worst forms of child labor.

# Legal Framework on the Worst Forms of Child Labor

British Overseas Territories (OTs) are territories under the jurisdiction and sovereignty of the United Kingdom (UK), but they do not form 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.

The following convention has been extended to Anguilla (Table 3).

**Table 3. 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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Standard** | **Yes/No** | **Age** | | **Related Legislation** |
| Minimum Age for Work | Yes | 14 | | Employment of Women, Young Persons and Children Act; Employment of Children (Restriction) Act; Education Act ([8-10](#_ENREF_8)) |
| Minimum Age for Hazardous Work | Yes | 18 | | Employment of Women, Young Persons and Children Act; Employment of Children (Restriction) Act ([8](#_ENREF_8), [10](#_ENREF_10)) |
| List of Hazardous Occupations Prohibited for Children | No |  | |  |
| Prohibition of Forced Labor | Yes |  | | Constitution ([11](#_ENREF_11)) |
| Prohibition of Child Trafficking | Yes |  | | Criminal Code ([12](#_ENREF_12)) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes |  | | Criminal Code ([12](#_ENREF_12)) |
| Prohibition of Using Children in Illicit Activities | Yes |  | | Criminal Code ([12](#_ENREF_12)) |
| Minimum Age for Compulsory Military Recruitment | N/A\* |  | | UK Armed Forces Act 2006 ([13](#_ENREF_13)) |
| Minimum Age for Voluntary Military Service | Combat:  Yes | 18  16 | UK Armed Forces Act 2006 ([13](#_ENREF_13)) | | |
| Non-Combat: Yes |
| Compulsory Education Age | Yes | 17 | | Education Act ([9](#_ENREF_9)) |
| Free Public Education | Yes |  | | Education Act ([9](#_ENREF_9)) |

\* No conscription or no standing military.

Section 3 of the Employment of Women, Young Persons and Children Act prohibits children under the age of 14 from working in industrial undertakings such as mining, manufacturing, and construction. However, the law does not prohibit young persons between the ages of 14 and 18 from engaging in industrial undertakings, which may leave them vulnerable to dangerous work.([10](#_ENREF_10)) Research could not identify whether Anguilla has a comprehensive list of hazardous occupations prohibited to children.

During the previous reporting period, the Government received UNICEF funding to begin drafting legislation that would strengthen protections against child abuse.([14](#_ENREF_14)) Research has not found whether this draft legislation has been completed, or the extent to which it addresses the commercial sexual exploitation of children.

The UK Government has introduced systems to track ages and locations of individual soldiers, with the aim of preventing under-18s 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.([13](#_ENREF_13), [15-17](#_ENREF_15))

# 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 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

|  |  |
| --- | --- |
| **Organization/Agency** | **Role** |
| Department of Labor of the Ministry of Finance, Economic Development, Investments, and Tourism | Enforce child labor laws through the Labor Commissioner, pursuant to the Employment of Children (Restriction) Act.([8](#_ENREF_8), [18](#_ENREF_18)) |
| Department of Social Development of the Ministry of Social Development | Safeguard the well-being of children and investigate reports of child abuse.([19-21](#_ENREF_19)) |
| Royal Anguilla Police Force | Investigate child protection cases.([19-21](#_ENREF_19)) |

Research found no evidence that law enforcement agencies in Anguilla took actions to combat child labor, including its worst forms.

# Coordination of Government Efforts on the Worst Forms of Child Labor

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

|  |  |
| --- | --- |
| **Coordinating Body** | **Role & Description** |
| Ministry of Social Development | Implement child protection efforts and ensure Anguilla complies with the CRC.([22](#_ENREF_22), [23](#_ENREF_23)) |

In 2013, the Government of Anguilla continued to coordinate child protection issues through the Ministry of Social Development.([23](#_ENREF_23)) However, the extent to which the Ministry addressed the worst forms of child labor, and particularly the commercial sexual exploitation of children, is unclear.

# Government Policies on the Worst Forms of Child Labor

The Government of Anguilla has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

|  |  |
| --- | --- |
| **Policy** | **Description** |
| Child Protection National Action Plan\* | Calls for the development of the Child Protection Protocols.([22](#_ENREF_22)) In 2013, the Ministry of Social Development, with the involvement of UNICEF, organized the interagency Child Protection Protocol Consultation Workshop to continue to develop the Child Protection Protocols.([24](#_ENREF_24), [25](#_ENREF_25)) |
| Safeguarding and Child Protection Protocols and Procedures\* | Provides guidance and support on identifying, reporting, investigating, managing, and prosecuting child abuse cases. Developed by the Ministry of Social Development in conjunction with UNICEF.([19](#_ENREF_19), [21](#_ENREF_21), [23](#_ENREF_23)) Reported to address legislative gaps in the protection of children.([24](#_ENREF_24)) |

\* The impact of this policy on child labor does not appear to have been studied.

In 2013, the Ministry of Social Development sponsored the Seventh Annual National Conference on Youth and Development, in which the National Youth Council met at the Anguilla House of Assembly to make recommendations on the protection of children, youth employment, and access to education.([26-28](#_ENREF_26)) Also during the reporting period, the Ministry of Tourism engaged public and private agencies to debate a comprehensive tourism policy that would guide the sustainable development of the sector. However, it is unclear if safeguards against child labor or the promotion of children’s rights were included in the debate.([29](#_ENREF_29))

# Social Programs to Address the Worst Forms of Child Labor

In 2013, the Government of Anguilla funded social programs that may have an impact on child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

|  |  |
| --- | --- |
| **Program** | **Description** |
| Safeguarding Children in Anguilla Project\*‡ | Ministry of Social Development media campaign that engages civil society groups on child protection issues.([14](#_ENREF_14), [23](#_ENREF_23)) In 2013, produced an outreach campaign that targeted the Spanish-speaking community of all ages on raising awareness of children’s issues.([23](#_ENREF_23)) |
| Department for Youth and Culture programming\*‡ | Department for Youth and Culture program that provides a range of cultural activities for children ages 11 to 18 during summer months; facilitates development of youth centers where young people can participate in educational activities.([23](#_ENREF_23)) |

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Anguilla.

In 2013, the Government of Anguilla, through the Ministry of Social Development, began working with the UNDP to develop a project for at-risk youth.([23](#_ENREF_23))

The question of whether these initiatives have an impact on the commercial sexual exploitation of children remains unclear. Research found no evidence that the Government has carried out programs to combat the commercial sexual exploitation of children directly.

# 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 Anguilla (Table 9).

**Table 9. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms**

|  |  |  |
| --- | --- | --- |
| **Area** | **Suggested Action** | **Year(s) Suggested** |
| Laws | Amend the Employment of Women, Young Persons and Children Act to prohibit all children under the age of 18 from engaging in hazardous work. | 2011 – 2013 |
| Clarify whether Anguilla has codified a list of hazardous activities prohibited to children under age 18. | 2011 – 2013 |
|  | Clarify whether Anguilla has drafted new legislation to protect children from commercial sexual exploitation. | 2013 |
| Enforcement | Collect, analyze, and disseminate information regarding the enforcement of relevant laws protecting children from commercial sexual exploitation. | 2009 – 2013 |
| Coordination | Ensure there is a coordinating mechanism to combat the commercial sexual exploitation of children. | 2009 – 2013 |
| Government Policies | Assess the impact that the Child Protection National Action Plan and Safeguarding and Child Protection Protocols and Procedures may have on addressing commercial sexual exploitation of children. | 2010 – 2013 |
| Social Programs | Collect, analyze, and disseminate information regarding the prevalence and nature of the commercial sexual exploitation of children and other worst forms of child labor to guide the development of policies and programs to address the problem. | 2009 – 2013 |
|  | Assess the impact of existing social programs on the commercial sexual exploitation of children. | 2010 – 2013 |
|  | Implement programs to address the commercial sexual exploitation of children. | 2011 – 2013 |

1. Adele D. Jones, and Ena Trotman Jemmott. *Child Sexual Abuse in the Eastern Caribbean: The report of a study carried out across the eastern Caribbean during the period October 2008 to June 2009* Huddersfield and London, UNICEF Office for Barbados and the Eastern Caribbean, University of Huddersfield, and Action for Children; November 2009. <http://www.unicef.org/infobycountry/files/Child_Sexual_Abuse_in_the_Eastern_Caribbean_Final_9_Nov.pdf>.

2. U.S. Department of State. "United Kingdom," in *Country Reports on Human Rights Practices- 2012*. Washington DC; April 19, 2013; <http://www.state.gov/documents/organization/204562.pdf>.

3. U.S. Department of State. "Overseas Territories of the United Kingdom," in *Trafficking in Persons Report- 2013*. Washington, DC; June 19, 2013; <http://www.state.gov/documents/organization/210742.pdf>.

4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.* [accessed February 10, 2014]; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children's Work and Education Statistics: Sources and Definitions” section of this report.

5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received February 13, 2014. 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.

6. UNICEF. *Child Sexual Abuse in the Eastern Caribbean: Perceptions of, Attitudes to, and Opinions on Child Sexual Abuse in the Eastern Caribbean*; 2010. <http://www.unicef.org/barbados/Child_Sexual_Abuse_Publication.pdf>.

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9. Government of Anguilla. *Education Act*, enacted 2012.

10. Government of Anguilla. *Employment of Women, Young Persons and Children Act*, enacted December 15, 2000. <http://www.cavehill.uwi.edu/LAWLIBRARY/getattachment/47396d89-7882-4afa-b036-f21f568796bb/EMPLOYMENT-OF-WOMEN,-YOUNG-PERSONS-AND-CHILDRE-(1).aspx>.

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12. Government of Anguilla. *Anguilla Criminal Code*, c. 140, enacted December 15, 2000. https://[www.anguillalaws.com/Acts.asp](http://www.anguillalaws.com/Acts.asp).

13. Government of the United Kingdom. *Armed Forced Act 2006, Chapter 52*, enacted 2006.

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15. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than Words: An Agenda for Action to End State Use of Child Soldiers*. London; September 2012; <http://www.child-soldiers.org/global_report_reader.php?id=562>.

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18. Government of Anguilla. *Department of Labour*, Government of Anguilla, [online] [cited April 9, 2014]; <http://www.gov.ai/department.php?id=1&dept=11>.

19. Government of Anguilla. *Safeguarding Children in Anguilla, An Abbreviated Guide*. The Valley; 2011. <http://www.gov.ai/documents/Draft%20Child%20Protection%20Protocol%20Abbreviated%20Guide.pdf>.

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21. Government of Anguilla- Ministry of Health and Social Development. *Safeguarding Children in Anguilla: A Policy Guideline*. The Valley; 2012. [source on file].

22. Anguilla Correspondent. *Focus on Child Protection Protocols – Phase Three*, Anguilla Guide, [previously online] [cited February 15, 2012]; <http://www.anguillaguide.com/article/articleview/7981/1/140/> [previously online].

23. Overseas Territories Joint Ministerial Council. *Progress made on the commitments in the 2012 Joint Ministerial Council communiqué - Anguilla*. The Valley; November 2013. <http://www.gov.ai/documents/FINAL_Anguilla_progress_report.pdf>.

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