



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: SAINT LUCIA

THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)

REPORTING	Fulfillment of Government's reporting obligations	YES, but NOT for the 2000, 2001, 2004, 2006 and 2007 Annual Reviews (ARs).	
	Involvement of Employers' and Workers' organizations in the reporting process	YES, According to Government: Involvement of the St. Lucia Employers' Federation and the St. Lucia Seamen Waterfront; General Workers' Trade Union; the Chamber of Commerce and Industry of Saint Lucia and the Committee of Workers of Saint Lucia through communication of Government's reports.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations by the Saint Lucia Employers' Federation (SLEF).	
	Workers' organizations	2008 AR: Observations by the General Workers' Trade Union (GWTU) and the Saint Lucia Civil Service Association (SLCSA).	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Saint Lucia ratified in 2000 of the Worst Forms of Labour Convention, 1999 (No. 182) (C.182)
		Ratification intention	YES, since 2002 2008 AR: The Government indicated that it intends to ratify C.138. Once the 2006 Labour Code enters into force, national legislation will be in conformity with C.138 and ratification will therefore follow. 2002 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (Nov. 2001), the Government intended to ratify the Minimum Age Convention, 1973 (No. 138) (C.138).
	Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Constitution	NO
		Policy, legislation and/or regulations	2008 AR: According to the Government: The 2006 Labour Code prohibits employment of children aged 15 and under (Section 122). The Education Act No. 41 of 1999 (Sections 27 and 47) makes it an offence to employ a child of compulsory school age (5 to 15 years). The Labour Code has not entered into force yet. Therefore, the Employment of Women, Young Persons and Children (Chapter 100) - which (i) defines a child as a person under the age of 14; and (ii) prohibits its employment only in industrial undertakings - is still in force. Moreover, the Government declares that its education policy on compulsory education (from 5 to 15 years of age) and its policy of universal secondary education (between 12-17 years of age) contribute to the realization of the PR.

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

			2002-2005 ARs: According to Government: The Government's Education Sector Development Plan for 2000-2005 promotes the principle and right (PR). The Government also states that the Labour Code, which is currently in draft form, will re-emphasize its policy on child labour (section B 81).
		Basic legal provisions	(i) The Education Act No. 41 of 1999; (ii) The Employees (Occupational Health and Safety) Act; and (iii) Employment of Women, Young Persons and Children, Saint Lucia Revised Ordinances of 1957.
		Judicial decisions	NIL
	Exercise of the principle and right	Compulsory Education	YES, the age of both girls and boys at the end of compulsory schooling is 15 years.
		Minimum age	2008 AR: According to the Government: Section 122 of the Labour Code prohibits the employment of children under the minimum school leaving age, with the following exceptions: (i) job training; (ii) community services outside school hours; and (iii) work done in technical schools or by members of a recognized youth organization outside of school hours, for the purpose of raising funds. However, pending the entering into force of the Labour Code, 2006, the Employment of Women Young Persons and Children, Chapter 100, is still in force and forbids the employment of a child i.e. a person under the age of fourteen years in any industrial undertaking. 2002-2005 ARs: The general minimum age for admission to employment or work is 14 years for both boys and girls The general minimum age for admission to employment covers family and small scale agriculture; it does not cover the following types of work: work performed in a family-owned or operated enterprise; work performed in enterprises below a certain size; home work; domestic service; self-employed work; commercial agriculture; light work; and work performed in export processing zones
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Exercise of the principle and right	Minimum age	Hazardous work: No definition. However, the Employees' (Occupational Health and Safety) Act, section 23, prohibits persons under the age of 18 years from engaging in industrial work (examples of industrial undertakings are provided for in the schedules of the legislation).
		Worst forms of child labour	C.182 is ratified.
		Special attention to particular situations	
		Information/Data collection and dissemination	2008 AR: According to the Government: The national database on child labour has not been developed. There is still a need for further publicity of the issue by the Ministry of Labour. The Ministry of Education's policy of monitoring of secondary schools helps. Also, counsellors at schools treat cases of truancy with seriousness. However, the Ministry of Education is preparing to undertake a study on student drop outs. This should provide information about any connection between child labour and school absenteeism. 2005 AR: According to Government: A national database is being developed to identify children at risk. 2002 AR: According to Government: information on the sanctions applied to users of child labour and officially recorded.

	Monitoring, enforcement and sanctions mechanisms	<p>2008 AR: According to the Government: The Department of Human Services investigates cases of children at risk i.e. in abusive situations. Moreover, workplace inspections are carried out by the Department of Labour.</p> <p>2002-2005 ARs: According to Government: Formal inspection visits by the Labour Department look for infringements of the law on work of young persons. The Department of Human Services monitors reported instances of child labour.</p>	
	Involvement of the social partners	<p>2002-2005 ARs: According to Government: Social partners are in a tripartite task force to draft the new Labour Code.</p>	
	Promotional activities	<p>2008 AR: The Government indicated that there are no new activities organized supplementing the financial resources of families in need, apart from the one undertaken by the Department of Human Services,.</p> <p>2005 AR: According to Government: The Department of Human Services provides educational assistance in the form of stipends, uniforms and other subsidies. There is also a school-feeding programme. The Government also states that it is also organizing awareness raising/advocacy activities on the PR.</p>	
	Special initiatives/Progress	NIL	
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations	<p>2008 AR: According to the SLEF: It is not aware of the existence of child labour in the country. However, there are cases where children help their family out during holidays and on weekends.</p>
		Workers' organizations	<p>2008 AR: According to the GWTU: some cases of child labour exist to some extent in the informal economy, where children are expected to help out their family after school or on weekends. The SLCSA added that child labour is not an issue in the country anymore due to the decline of the banana sector and the importance put on education. However, during Summer and Easter vacations, children can be seen along the roadsides selling craft items to tourists.</p>
	According to Government	<p>2008 AR: According to the Government: The 2006 Labour Code has not entered into force yet and legislation not complying with international labour standards is still applicable. The Department of Labour is not certain of the existence of child labour. Therefore, the main challenge is to ascertain its existence through solid research and statistical analysis.</p> <p>2002-2005 ARs: According to Government: Child labour is an issue in the informal economy. There is also a mismatch between the minimum age for admission to employment (14) and the compulsory school leaving age (15), which the new Labour Code will address by prohibiting the employment of children who have not completed 15 years of age.</p>	
TECHNICAL COOPERATION	Request	<p>2008 AR: The Government required assistance from the ILO for carrying out the following: (i) a case study on child labour to be validated by a seminar on its follow-up, in collaboration with employers' and workers' organizations; and (ii) capacity building and training of labour officials.</p> <p>2005 AR: According to Government: There is a need for technical cooperation with the ILO to assist in the realization of the PR in the following areas, by order of priority: (1) Training (sensitization of government officials on issues of child labour); (2) raising awareness of situations that could lead to involvement of children in work; (3) Data collection: improvement of the documentation on child labour, (4) Assistance in policy-making and the setting up of a national database concerning children at risk</p>	
	Offer	ILO	

<p>EXPERT-ADVISERS' OBSERVATIONS / RECOMMENDATIONS</p>	<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) recognized that the Office's focused efforts and assistance had helped some countries, including Saint Lucia, to comply with their reporting obligations. They considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Saint Lucia, having expressed their intention to ratify C.138 and/or C.182 (Cf. Paragraphs 53 and 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2007 AR: The IDEAs were concerned at the failure to report by Saint-Lucia (and three other countries). They encouraged it to continue their efforts to report (Cf. Paragraph 51 of the 2007 Annual Review Introduction – ILO: GB.298/3).</p>
<p>GOVERNING BODY OBSERVATIONS / RECOMMENDATIONS</p>	<p>NIL</p>