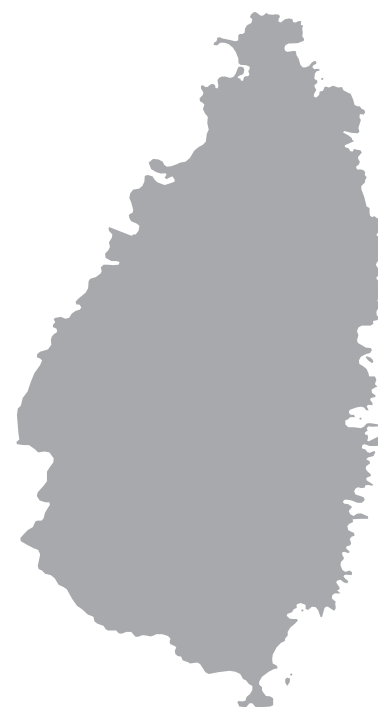


In 2018, Saint Lucia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Computer Misuse Act to criminalize the possession of child pornography. It also established a new agency to oversee adoption, child care, and protection of children and published the National Child Protection Action Plan Report. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation and the sale and transportation of drugs. Saint Lucia's law does not fully protect children from hazardous work and illicit activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation and the sale and distribution of drugs. (1-8) Table 1 provides key indicators on children's work and education in Saint Lucia. 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

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (2,017)
Attending School (%)	5 to 14	99.7
Combining Work and School (%)	7 to 14	8.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (10)

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
Services	Street vending, including selling food and handicrafts in markets (1,3,11,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,6-8,13,14) Sale and distribution of drugs (2-4,12)

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

Saint Lucia lacks detailed data on the extent of child labor in the country. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children engage in commercial sexual exploitation, sometimes in exchange for rides, clothing, or cell phones, or with the knowledge or encouragement of parents in situations of financial need. (2-4,7,15) Limited evidence also suggests that children are used to transport and sell drugs. (2-4) Local and foreign children are also subjected to sex trafficking, including by parents and caregivers. (3,5-8,16)

All children in Saint Lucia can attend school. However, violence in schools, some gang-related, may hinder some children from attending. (7) Children who do not attend school are vulnerable to engaging in child labor.




II. LEGAL FRAMEWORK FOR CHILD LABOR

Saint Lucia has ratified most key international conventions concerning child labor (Table 3).

Saint Lucia

MODERATE ADVANCEMENT

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 laws and regulations related to child labor (Table 4). However, gaps exist in Saint Lucia's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of commercial sexual exploitation of children and the use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 122 of the Labor Code (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 122(2) of the Labor Code (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 126(b) and 214 of the Labor Code (17)
Prohibition of Forced Labor	No		Article 4 of the Constitution; Article 6 of the Labor Code (17,19)
Prohibition of Child Trafficking	Yes		Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (20)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (20,21)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (21)
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	15	Article 27 of the Education Act (22)
Free Public Education	Yes		Article 16 of the Education Act (22)

* No conscription (23)

† No standing military (23)

In 2018, the Government of Saint Lucia amended the Computer Misuse Act to criminalize the possession of indecent films and photographs of children. (7,24) In addition, the government passed the Child Justice Act, which allows for children in conflict with the law to avoid the formal court system to protect the rights of the child. The Act also defines a child as a person under the age of eighteen years. (7,25) The Child Care Protection and Adoption Act, also passed in 2018, considers the overall safety, welfare, and well-being of the child and increased oversight over adoption procedures. (7,26)

Saint Lucia has not determined by national law or regulation the types of hazardous work prohibited for children. (3,17) In addition, although the Criminal Code prohibits the use of children in some illicit activities, such as street work, and using, procuring, or offering children for the production and trafficking of drugs is not criminally prohibited. (21,27) Laws related to forced labor are insufficient because forced labor is not criminally prohibited, except when it results from human trafficking. The law does not sufficiently prohibit commercial sexual exploitation because using or offering children for commercial sexual exploitation is not criminally prohibited. (20)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Education, Human Resource Development, and Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Education, Human Resource Development, and Labor	Enforces laws on child labor through labor inspections conducted by its Department of Labor. (28,29)
Royal Saint Lucia Police Force	Enforces criminal laws related to the worst forms of child labor. Through its Vulnerable Persons Unit, in collaboration with the Division of Human Services, investigates cases of child labor, abuse, and neglect. (11) Uses a specific manual to investigate crimes related to children. (28)
Ministry of Home Affairs, National Security, and Justice	Coordinates and leads anti-human trafficking issues with various ministries. (3,6)
Human Services Department*	Leads on issues related to child care, protection, and adoption as mandated in the 2018 Child Care, Protection, and Adoption Act. (7,26) Located within the Ministry of Equity. (7)

*Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Saint Lucia took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Education, Human Resource Development, and Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$878,270 (3)	Unknown (7)
Number of Labor Inspectors	9 (3)	9 (7)
Inspectorate Authorized to Assess Penalties	No (3)	No (7)
Initial Training for New Labor Inspectors	No (30)	Unknown (7)
Training on New Laws Related to Child Labor	No (3)	Unknown (7)
Refresher Courses Provided	No (30)	Unknown (7)
Number of Labor Inspections Conducted	Unknown (30)	Unknown (7)
Number Conducted at Worksite	Unknown (30)	Unknown (7)
Number of Child Labor Violations Found	0 (3)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0(3)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (3)	Unknown (7)
Routine Inspections Conducted	Yes (3)	Yes (7)
Routine Inspections Targeted	No (3)	Unknown (7)
Unannounced Inspections Permitted	Yes (3)	Yes (7)
Unannounced Inspections Conducted	Yes (3)	Yes (14)
Complaint Mechanism Exists	Yes (3)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (7)

Although inspectors look for child labor and forced labor violations during announced and unannounced inspections, insufficient funding may hamper the labor inspectorate's capacity to enforce child labor laws in all relevant sectors, especially in communities in which children are vulnerable to commercial sexual exploitation. (7,30,31) Inspectors can make recommendations to the Labor Commissioner but cannot assess penalties, and existing penalties are insufficient to deter employers from committing child labor violations. (2,30,32)

The government does not publicly release information on its labor law enforcement efforts.

Saint Lucia

MODERATE ADVANCEMENT

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Saint Lucia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (3)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	No (3)	Unknown (7)
Refresher Courses Provided	Yes (3)	Unknown (7)
Number of Investigations	0 (3)	Unknown (7)
Number of Violations Found	0 (3)	Unknown (7)
Number of Prosecutions Initiated	0 (3)	Unknown (7)
Number of Convictions	0 (3)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (7)

Although the local police can enforce laws against the worst forms of child labor, this effort is led by the Vulnerable Persons Unit. (2) During the reporting period, police officers were trained on victim identification, referral, and assistance skills. (6,14) However, sufficient training for police is needed to adequately identify and work with child victims of human trafficking. (3,14,30) In addition, insufficient resources, including funding, transportation, and equipment, hamper police capacity to enforce child labor laws. (2,3) The judicial system within the Ministry of Home Affairs, National Security, and Justice also has a backlog of cases and lacks personnel and resources. (6,14,30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Health, Wellness, Human Services, and Gender Relations	Refers potential child labor cases to the Royal Saint Lucia Police Force. (28)
Trafficking in Persons Task Force	Coordinates the identification and referral of human trafficking cases among law enforcement, social services, and immigration officials, under the Counter-Trafficking Act. Includes public servants, representatives from the Department of Labor, police, and victim-service NGOs. (12,20,28) Active in 2018 and implemented its national anti-trafficking action plan. (7)
Office of Gender Relations	Provides referrals to human trafficking victims for health, advocacy, crisis, and legal services. (13)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2016–2019)	Identifies the strategic goals and objectives for combating human trafficking, and the means to achieve them. Establishes the coordination of counter-trafficking measures and the adequate cooperation between all actors through the National Framework for Combating Trafficking in Persons. (2,7,16,33) Active in 2018. (7)
National Social Protection Policy (2014–2024)	Establishes a social protection policy in Phase I (2014 – 2019) by consolidating the Social Safety Net programs. In Phase II (2019 – 2024), will implement wider reforms for creating a coherent social protection policy. (2) Child protection policies are incorporated into poverty reduction concepts and promote access to education. (11,34) Worked with UNICEF to conduct a report on adolescent wellness in 2018. (14)

In 2018, the government published the National Child Protection Action Plan Report and conducted workshops to familiarize stakeholders with the action plan. (7) Although the government did not formally adopt the Action Plan, it undertook suggested actions from the Plan, including reviewing and revising the Child Protection Reporting Protocol. (7,35,36)

During the reporting period, the National Social Protection Policy provided assistance to serve entire families instead of only targeted individuals. (3,14) This has helped a core group of the lowest-income families. (14) Case management within the inter-agency mechanism, consisting of coordination between police, social workers, and labor inspectors, remains an issue due to not being electronic. (14) In addition, child labor elimination and prevention strategies are not integrated into the National Social Protection Policy. (12) Research did not reveal policies addressing commercial sexual exploitation of children. (6)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including funding and adequacy to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Educational Programs†	The Saint Lucia Social Development Fund and Public Assistance Program fosters school attendance; the Community Empowerment's After School Program aims to improve academic performance and maintains school attendance of children ages 8 to 16; the Upton Garden Girls Center provides education, training, and self-development opportunities to teenage girls; the Center for Adolescent Renewal and Education provides second-chance education, training, and self-development services to adolescents; the Boys Training Center supports boys ages 10 to 18 who have come in contact with the law or require care and protection; and the <i>Koudmen Sent Lisi</i> program funds textbook rentals, a book bursary that reimburses students for textbooks, a school feeding program, and a transportation subsidy program at most secondary schools. (1-3,11) In 2018, held a seminar with UNICEF on child protection and children's rights. (14,37)
Strengthening Capacity to Accelerate Eradication of Child Labor in Latin America and the Caribbean	Government of Spain-funded \$603,070, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in more than 20 countries in Latin America and the Caribbean, including Saint Lucia. (38)

† Program is funded by the Government of Saint Lucia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (7,39)

Research found no evidence of any programs with the specific goal of eliminating or preventing child labor, including its worst forms. In addition, overall funding for social programs remains a concern because it does not meet the needs of all children in the country, especially trafficked children and those engaged in illicit activities, and it is highly dependent on foreign assistance. (3,6,14)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Saint Lucia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children in consultation with employers' and workers' organizations.	2017 – 2018
	Ensure that laws criminally prohibit the forced labor of children.	2016 – 2018
	Ensure that laws criminally prohibit using or offering a child for commercial sexual exploitation.	2016 – 2018
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize labor inspectors to assess penalties for labor law violations.	2016 – 2018
	Ensure existing penalties are sufficient to deter employers from committing child labor violations.	2018
	Ensure that new labor inspectors and criminal law enforcement investigators receive training on child labor law enforcement and that refresher courses are provided for all labor inspectors.	2015 – 2018
	Publish information on labor and criminal law enforcement, including funding for the labor inspectorate, the number of labor inspections conducted, number of child labor violations found, number of prosecutions initiated, and number of convictions related to child labor.	2018
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data on risk-prone sectors and patterns of serious incidents.	2015 – 2018
	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2018
	Increase the resources allocated to criminal investigators, including training, transportation, and equipment.	2017 – 2018
	Manage judicial cases adequately by ensuring that there is no backlog and by increasing resources, including personnel.	2017 – 2018
Coordination	Ensure that case management within the inter-agency mechanism functions properly.	2018
Government Policies	Ensure that child labor elimination and prevention strategies are integrated into the National Social Protection Policy.	2015 – 2018
	Adopt a policy that addresses all worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Enhance efforts to eliminate barriers and make education accessible for all children by ensuring that violence does not occur at schools.	2018
	Design and implement social programs that specifically target and assist children engaged in the worst forms of child labor, including in commercial sexual exploitation and illicit activities such as the sale and transportation of drugs.	2013 – 2018
	Ensure that funding for social programs is sufficient so that it can meet the needs of all vulnerable children in the country and does not rely on foreign funding.	2017 – 2018

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