

Seychelles

There is no evidence of the worst forms of child labor in Seychelles. Notwithstanding the absence of a demonstrated problem, the National Bureau of Statistics began training officers in 2009 to help establish official statistics and documentation on human trafficking. To date, no official government statistics have been released on human trafficking. Legal provisions offer more protection for girls than boys and for children working in international trade zones less than in other areas.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

There is no evidence of the worst forms of child labor in Seychelles.⁵¹⁶⁵

Laws and Regulations on the Worst Forms of Child Labor

The Constitution of the Republic of Seychelles sets the minimum age for work at 15 and provides for a higher minimum age for employment deemed dangerous, unhealthy or otherwise harmful to normal childhood development.⁵¹⁶⁶

The Conditions of Employment Regulations, 1991 specify that children under age 18 are prohibited from night employment and work in the restaurant, tourism or entertainment industries. However, children ages 15 to 17 may do so with the written approval of a “competent officer,” although a definition for “competent officer” is not provided in the legislation.⁵¹⁶⁷ This provision is inconsistent with international standards, whereby the absolute minimum age for hazardous work is 16. Children ages 12 to 14 may engage in occasional, non-recurrent light work, provided it occurs outside of school hours.⁵¹⁶⁸ Despite

the above protections, the Government has not developed a comprehensive list of hazardous work prohibited to children under age 18.⁵¹⁶⁹

The International Trade Zone (Conditions of Employment) Order 17 governs employment conditions in international trade zones and prohibits within them the employment of children younger than age 15.⁵¹⁷⁰ However, it does not contain any provision prohibiting children from engaging in hazardous work.

The Constitution provides for freedom from slavery, servitude and forced or obligatory labor.⁵¹⁷¹ The Penal Code of 1955 explicitly forbids forced labor, trafficking in slaves or kidnapping for the purposes of involuntary confinement, slavery or removal from Seychelles.⁵¹⁷² The 2005 Penal Code Act criminalizes the prostitution and sexual exploitation of children.⁵¹⁷³ Specific provisions prohibit the procurement, recruitment or exploitation of girls under age 21, domestically or internationally, for the purposes of prostitution. It also prohibits the procurement or detainment of any girl against her will with the intent to engage in sexual conduct or for the purposes of prostitution. Because these specific provisions do

not seem to cover boys, it is unclear if boys are afforded the same level of protection as girls.⁵¹⁷⁴ The Penal Code also prohibits production or possession of indecent material of any child under age 18, or exhibition of indecent material to any child under age 18.⁵¹⁷⁵

During the reporting period, the Government ratified the Optional Protocol to the Convention on the Rights of the Child (CRC) on the Involvement of Children in armed conflict.⁵¹⁷⁶

Institutional Mechanisms for Coordination and Enforcement

As there is no evidence of a problem, there appears to be no need for a coordinating mechanism to address the worst forms of child labor. The National Council for Children, a partially government-funded NGO, advocates for

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

children’s interests and rights through awareness-raising activities and by providing training and counseling. Training programs are targeted at both children and adults and include a module developed to explain the provisions of the CRC.⁵¹⁷⁷

The Ministry of Education, Employment and Human Resources is the primary agency responsible for investigating and enforcing child labor laws. During the reporting period, the Ministry reported no cases of child labor that required investigation, nor were any children found working in key sectors.⁵¹⁷⁸

The Department for Social Development, part of the Ministry of Social Development and Culture, is the primary agency responsible for implementing anti-child prostitution policies.⁵¹⁷⁹

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 the worst forms of child labor. Notwithstanding the absence of a demonstrated problem, the National Bureau of Statistics (NBS) began training officers in 2009 to help establish official statistics and documentation on human trafficking, including child trafficking.⁵¹⁸⁰ To date, no official government statistics have been released on human trafficking.⁵¹⁸¹ Research could not determine the current status of the NBS program and did not find any evidence of an effort to collect data on all other worst forms of child labor.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

As there is no evidence of a problem, there appears to be no need for programs to address the worst forms of child labor. However, the Government has implemented some social programs specifically aimed at improving the welfare of children.⁵¹⁸² The Government works to fund child welfare initiatives including the Children’s Homes Foundation, which provides housing for orphans and children from families facing financial difficulties, and the Children’s Fund, which targets children most in need.⁵¹⁸³ In 2010, under the Children’s Fund, the Government increased funding for after-school care services.⁵¹⁸⁴ It also continues a program subsidizing bus fares for needy students.⁵¹⁸⁵

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Seychelles:

IN THE AREA OF LAWS AND REGULATIONS:

- Eliminate legal provisions that potentially allow for children under age 16 to engage in hazardous labor if given the approval of a “competent officer.”
- Develop a comprehensive list of hazardous employment prohibited to all children under age 18.
- Amend International Trade Zone (Conditions of Employment) Order 17 to ensure that child labor laws for international trade zones are consistent with other national laws on the employment of children.
- Clarify the Penal Code to specifically prohibit the trafficking of boys and the procuring or detainment of boys for the purposes of prostitution.

IN THE AREA OF POLICY:

- Consider expanding the work of the NBS to collect data on all worst forms of child labor, in addition to trafficking.
- Make public any relevant data collected thus far by the NBS.

⁵¹⁶⁵ Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, 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.

⁵¹⁶⁶ Government of Seychelles, Constitution of the Republic of Seychelles, (June 18, 1993), article 31; available from <http://www.cmseducation.org/wconst/seychelles.html>.

⁵¹⁶⁷ Government of Seychelles, Conditions of Employment Regulations, 1991, 1991, articles 21 and 22; available from http://www.employment.gov.sc/docs/acts/Employment_Act_Reg_Electronic_1991.pdf.

⁵¹⁶⁸ Ibid.

⁵¹⁶⁹ ILO Committee of Experts, Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Seychelles (ratification: 2000) Submitted: 2010, April 5, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=24839&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0>. See also ILO Committee of Experts, Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Seychelles (ratification: 1999) April 5, 2011 2010; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&docum>

[ent=25342&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0](http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=25342&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0), ILO Committee of Experts, Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Seychelles (ratification: 1999) Submitted: 2010, April 5, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=25342&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0>.

⁵¹⁷⁰ Government of Seychelles, International Trade Zone (Conditions of Employment) Order, (February 10, 1997), S.I.14, 17(1); available from http://www.siba.net/index.php?s=file_download&id=36.

⁵¹⁷¹ Government of Seychelles, Consitution, article 17.

⁵¹⁷² Government of Seychelles, Penal Code, (February 1, 1955), CAP. 73, chapter 25, articles 239-251; available from <http://www.unhcr.org/refworld/docid/4d67afc82.html>.

⁵¹⁷³ Government of Seychelles, “Seychelles,” in Legislation of Interpol Member States on Sexual Offences against Children, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSeychelles.pdf>.

⁵¹⁷⁴ Ibid.

⁵¹⁷⁵ Ibid.

⁵¹⁷⁶ United Nations Treaty Database, Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict, April 14, 2011; available from http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en.

⁵¹⁷⁷ U.S. Embassy- Port Louis, reporting, February 18, 2010. See also National Council for Children, Services, [online] 2011 [cited April 7, 2011]; available from <http://www.ncc.sc/p/services>. See also National Council for Children, Training Modules, [online] 2011 [cited April 19, 2011]; available from <http://www.ncc.sc/p/training-modules>.

⁵¹⁷⁸ U.S. Department of State, "Seychelles," in Country Reports on Human Rights Practices- 2010, Washington, DC, April 8, 2011, section 7; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154367.htm>.

⁵¹⁷⁹ U.S. Embassy- Port Louis, reporting, March 1, 2011.

⁵¹⁸⁰ U.S. Embassy- Port Louis, reporting, February 18, 2010.

⁵¹⁸¹ U.S. Embassy- Port Louis, reporting, March 1, 2011.

⁵¹⁸² U.S. Embassy- Port Louis, reporting, December 7, 2010.

⁵¹⁸³ U.S. Embassy- Port Louis, reporting, March 25, 2010. See also Children's Home Foundation, What We Do, [online] [cited April 14, 2011]; available from <http://www.childhomesfoundation.org.sc/pages/Homes.aspx>. See also Seychelles NATION, "President Extends Special Fund for School Children," Seychelles NATION (2010); available from <http://www.nation.sc/imprimer.php?art=18283>.

⁵¹⁸⁴ U.S. Embassy - Port Louis, reporting, December 7, 2010.

⁵¹⁸⁵ U.S. Embassy -Port Louis, reporting, March 25, 2010.