

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Seychelles - 2021

***THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY
LABOUR Protocol of 2014 P029 to the Forced Labour Convention***

REPORTING

Fulfillment of Government's reporting obligations

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Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers organizations, b) The most representative workers organizations, c) The competent authorities?

92. To which employers organizations was the report sent? [12] Please provide the list

Association of Seychelles Employers – Seychelles Chamber of Commerce and Industries General Employers Trade Union of Seychelles

93. To which workers organizations was the report sent? [13] Please provide the list

Seychelles Federation of Workers Union
Seychelles Labour Union
United Workers Seychelles Union

94. Please describe the consultation process(es). [10.2]

The e-questionnaire was filled by the Department in collaboration with competent authorities and submitted to the workers and employers organizations for their comments.

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

95. Did employers organizations comment on the report? [11a]

No

Workers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

96. Did workers organizations comment on the report? [11b]

No

EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Unlikely

62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?

Unlikely in the foreseeable future as the COVID 19 Pandemic created disruptions to the Work plan of the Ministry of Employment and Social Affairs. The Ministry has pending instruments for ratification and intends to relaunch the

	<p>process for ratification. To be noted, upon submission of the adopted instruments to the competent authority, the Government provides a brief gap analysis between the instruments and national policies and laws, to support and guide the action to be taken towards the instruments. Delays in receiving information from stakeholders and lack of institutional expertise often contribute in hindering the submission process to the competent authority given technical nature of the instruments. It is to be noted that no cases of forced labour have been registered at the Employment Department.</p>
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Existence of a policy and or plan of action for the suppression of forced or compulsory labour

<p>63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]</p>	<p>Yes</p>
<p>68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]</p>	<p>Yes</p>
<p>69. Please describe these measures. [1.5]</p>	<p>The Prohibition of Trafficking in Persons Act 2014. Under the TIP Act, any suspected case of forced labour or trafficking discovered by the inspectors of the Employment Department would be referred to the relevant authority for investigation. The National Action Plan for 2022 is being drafted by the Seychelles Trafficking in Persons (TIP) Secretariat with the assistance of IOM. A Focus Group Discussion was held with all stakeholders in September 2021 and the</p>

	same is nearing its final stage. Under the Penal Code any cases of forced labour identified by labour inspectors will be referred to the Police
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	A register known as the Register of Victim of Trafficking has been adopted to collect data however the Employment Department has not registered any cases of forced labour.

Measures taken or envisaged for systematic and coordinated action

64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]	<p>There is the National Coordinating Committee against Trafficking in Persons (NCCTIP) which was established in accordance with Section 21 of the Prohibition of Trafficking in Persons Act 2014. The Committee comprises of high level representatives from Social Affairs, Immigration & Civil Status Department, Employment Department, Foreign Affairs, Attorney General, Police, Customs, Financial Investigation Unit and Civil Society and NGO's. The labour inspectorate as per their action plan conducts inspectors in organization. Under the Penal Code any cases of forced labour identified by labour inspectors will be referred to the Police. The Police and the Employment Department takes the lead to investigate any reported cases of trafficking in person especially for migrant workers. All matters of TIP is reported to the Committee responsible for coordination of such matters. The TIP Committee was dissolved in 2021 to create a formal TIP Secretariat under the Social Affairs Department.</p>
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Measures taken or envisaged to prevent forms of forced labour

74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]	Yes
75. If so, please indicate the type of measures, [2.2]	k) Other

Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
77. If so, please indicate the type of measures [3.2]	g) Appropriate accommodation

Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
79. If so, please indicate the type of measures, [4.2]	i) Other

Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
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82. Please briefly describe the modalities of this cooperation. [5.2]

International Organisation for Migration(IOM) supports the Seychelles Trafficking in Persons Secretariat with the development of the Action Plan and offers capacity building for the detection and prevention of TIP. United Nations Office on Drugs and Crime (UNODC) assists Seychelles in reviewing existing laws on TIP, drafting policies and regulations to operationalize legislation, offer training to enforcement officers and provide assistance to criminal justice practitioners. International Police Criminal Organisation (Interpol) Supports Seychelles in crime investigation, sharing criminal data and intelligence and with law enforcement. The Association for Rights, Information and Democracy (ARID) is a self- governing, neutral and independent body, advising the Government on human rights and administrative practices. ARID detects and investigates cases of human rights violation, offers research and sensitization and monitor compliance with the relevant international conventions. (SLU) (non-Government organization) promote and ensure the worker rights and working standards through collective bargaining .

Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

Awareness campaign from 30th July 2021 and ongoing Information & statistical data being recorded since April 2021
Legislative framework under review in partnership with UNODC Trafficking In Person Secretariat established in April 2021

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

a) Lack of awareness, b) Lack of information and data, m) Other

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

Yes

88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]

- b) Awareness-raising and mobilization activities => Important
- c) Collection and analysis of data and information => Important
- d) Guidance on the development of the national policy and plan of action => Most Important
- e) Strengthening the legal framework => Most Important
- f) Capacity building for the competent authorities => Important
- g) Inter-institutional coordination => Most Important
- h) Promotion of fair recruitment and placement practices => Less Important

	<p>i) Promotion of fair migration policies => Important</p> <p>j) Vocational training, job-creation and income-generation programmes for at-risk populations => Important</p> <p>k) Basic social security guarantees => Most Important</p> <p>l) Guidance on supporting due diligence => Important</p> <p>m) Capacity building for employers' and workers' organizations => Important</p> <p>n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Most Important</p> <p>o) Exchange of experiences between countries or regions; international cooperation => Important</p> <p>p) Other => Most Important</p>
<p>89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.</p>	<p>awareness, capacity building, data collection</p>