

# **SAINT LUCIA 2015 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Saint Lucia is a multiparty, parliamentary democracy. In generally free and fair elections in 2011, the Saint Lucia Labor Party (SLP) won 11 of the 17 seats in the House of Assembly, defeating the previously ruling United Workers Party. SLP leader Kenny Anthony became prime minister. Civilian authorities maintained effective control over the security forces.

The most serious human rights problems included long delays in investigating reports of unlawful police killings, abuse of suspects and prisoners by the police, and continued postponements of trials and sentencing.

Other human rights problems included violence against women, child abuse, and discrimination against persons based on their real or perceived sexual orientation or gender identity.

Although the government took limited steps to prosecute officials and employees who committed abuses, the procedure for investigating police officers was lengthy, cumbersome, and often inconclusive.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

Coroner's inquests were held in all seven instances of fatal police shootings in accordance with the Coroner's Act of Saint Lucia. In five cases the coroner found the shooting was "lawful killing"; the coroner found one case to be an "unlawful killing"; and one case was still under investigation at year's end. The Office of the Director of Public Prosecutions (DPP) cited severe shortage of staff as the reason for not yet making a decision to indict in the "unlawful killing" case.

On July 24, Magistrate Robert Innocent, who presided over the inquest into the 2013 death of Chakadan Daniel while in police custody, ruled that he was "unlawfully killed." As of October the case was pending a DPP decision on indictment.

Through the CARICOM Implementation Agency for Crime and Security (IMPACS), the government engaged a team of investigators from the Jamaican

Constabulary Force to investigate all instances of alleged extrajudicial killings by members of the Royal Saint Lucia Police Force that resulted from “Operation Restore Confidence” in 2010 and 2011 (see section 1.d.). The investigators completed the report, but it has not been made public. In March the prime minister declared that the report of the investigators is “extremely damning” and “brings home the extreme gravity of this matter” but added it is for DPP to determine if anyone will be prosecuted. At year’s end the DPP had not begun any prosecutions of the officers implicated in the operation.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibits such practices, but prisoners and suspects continued to complain of physical abuse by police and prison officers. Civil society reported that police assaulted persons under arrest either during the arrest or while in custody at the initial detention center. Under the criminal code, the police have the right to use deadly force in the course of an arrest if the suspected perpetrator tries to escape.

During the year citizens filed a number of complaints against the police, most of which were for abuse of authority. Limited information was available regarding official investigations of complaints pending in various stages of review from earlier years. The DPP is responsible for filing charges in such cases but was unable to monitor their progress due to limited resources. Although the government sometimes asserted that it would launch independent inquiries into allegations of abuse, the lack of information created a perception among civil society and government officials of impunity for the accused officers.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards, although the Bordelais Correctional Facility was somewhat overcrowded. That facility, which has a designed capacity of 454 inmates, held 628 inmates in July.

Administration: The law does not allow for alternatives to sentencing for nonviolent offenders. The cabinet appoints a Board of Visiting Justices to hear

complaints from prisoners. That board investigates credible allegations of inhuman conditions, but there were no such complaints during the year.

Independent Monitoring: The Board of Visiting Justices is supposed to conduct health and welfare inspections, but it did not do so during the year. According to the director of corrections, outside human rights groups were welcome to visit the prison.

Improvements: The Bordelais Correctional Facility improved its administrative capacity during the year. The facility created databases for additional departments and expanded its computer network, which increased the exchange of information between departments. The government was also rehabilitating the Boys Training Center's main facility.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The Royal St. Lucia Police Force has responsibility for law enforcement and maintenance of order within the country, and reports to the Ministry of Legal Affairs, Home Affairs, and National Security. The Criminal Investigations Division investigates internal affairs and allegations against officers and refers cases to the DPP for review and, if authorities file charges, prosecution.

There is also an internal police complaints unit and a Police Complaints Commission to take complaints from members of the public. The internal complaints unit is required by law to record complaints on all cases, and the officer in charge of discipline forwards a status report, which is published in the Force Orders for the information of all police officers. A special unit of three police officers assigned to assist the commission investigated these complaints.

There was limited progress in the inquests and other investigations into the multiple killings during 2010 and 2011 allegedly by officers associated with an ad hoc task force as part of "Operation Restore Confidence." The IMPACS investigation into the killings concluded in May 2014, but no report from the investigation has been released publicly. In March the prime minister revealed that the report concluded that "the blacklist or death lists" referenced by the media,

human rights organizations, victim's families, and citizens did exist; that "all the shootings reviewed were 'fake encounters' staged by the police to legitimize their actions"; that weapons were "planted on the scene of the shootings"; that a number of shootings were done by police officers but were listed in murder statistics as attributable to unknown assailants. He said that the task force operated in "an environment of impunity and permissiveness designed to achieve the desired results." The prime minister added, "The investigators also reported that in the course of the investigation, some senior officers did not cooperate with them." In response to the IMPACS report, the government conducted human rights training for the police and established a "use of force" policy for the Royal St. Lucia Police Force.

Civilian authorities maintained effective control over the police, but there were continued reports of impunity. Although there are government mechanisms to investigate and punish abuse and corruption, these mechanisms were not effective. For instance, although authorities referred many cases for investigation and inquests, prosecutions rarely resulted, and cases remained under investigation without conclusion for years. Victims' families have six months to initiate civil proceedings in the case of unlawful killing by the police, but many families are unaware of their rights or the limited timeframe. Lack of adequate staffing in the criminal justice system (prosecutors and criminal magistrates), significant delays in the judicial system, the reluctance of witnesses to testify, the lack of a witness or victim protection program, and strong public and political support for the police contributed to the overall inability of the government to address allegations in a timely or effective manner.

### **Arrest Procedures and Treatment of Detainees**

The constitution stipulates that authorities must apprehend persons openly with warrants issued by a judicial authority, and requires a court hearing within 72 hours of detention. Authorities allowed detainees prompt access to counsel and family. There is a functioning bail system.

Pretrial Detention: Prolonged pretrial detention continued to be a problem. Those charged with serious crimes often spent from six months to six years in pretrial detention.

### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary, and the government generally respected judicial independence.

### **Trial Procedures**

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants have the right to trial without undue delay and to be informed promptly and in detail of the charges. Trials can be by jury and are public. Authorities provide legal counsel in murder cases for those who cannot afford a defense attorney. Defendants are entitled to select their own representation, are presumed innocent until proven guilty, and have the right of appeal. Defendants have the right to confront or question witnesses and have access to government-held evidence. Defendants have the right to present their own witnesses and evidence. The law extends the above rights to all defendants.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is an independent, impartial judiciary in civil matters where one can bring lawsuits seeking damages for a human rights violation.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and press.

### **Freedom of Speech and Expression**

Freedom of speech and expression are protected in the constitution, and the incitement of hatred is criminalized in section 359 of the Criminal Code.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to the International Telecommunication Union, 51 percent of the population used the internet in 2014.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

#### **b. Freedom of Peaceful Assembly and Association**

The constitution provides for freedoms of assembly and association, and the government generally respected these rights.

#### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, asylum seekers, stateless persons, and other persons of concern.

### **Protection of Refugees**

Access to Asylum: The country's laws do not provide for the granting of asylum or refugee status. UNHCR reported that the government issued certificates for four asylum seekers during the year, providing temporary protection from being returned to their country of origin and giving them access to public services. Refugees had access to medical care and uneven access to education. Individuals claiming refugee status had access to the courts and protection by law enforcement. The government assisted the safe, voluntary return of refugees to their home countries. One asylum seeker was issued a work permit.

### **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

#### **Elections and Political Participation**

Recent Elections: In 2011 the Saint Lucia Labor Party (SLP) defeated the United Workers Party, winning 11 of 17 parliamentary seats. SLP leader Kenny Anthony became prime minister. He had previously served twice as prime minister in the period 1997 to 2006. Election observation missions from the Organization of American States, the Caribbean Community, and the Commonwealth Secretariat considered the elections generally free and fair.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws, but not always effectively. The government passed a public procurement and asset disposal bill in September that is designed to strengthen anticorruption laws. There were reports of government corruption during the year.

Corruption: Prime Minister Anthony said in September that corruption was “rampant and rife in the private sector and public.” Although no officials were charged, there were investigations of police officers for misappropriation.

The parliamentary commissioner, auditor general, and Public Services Commission are responsible for combating corruption. Parliament can also appoint a special committee to investigate specific allegations of corruption. These

agencies did not collaborate with civil society. While the agencies were independent, lack of resources hampered their effectiveness.

Financial Disclosure: High-level government officials, including elected officials, were subject to annual disclosure of their financial assets to the Integrity Commission, a constitutionally established entity. While authorities do not make public the disclosure reports filed by individuals, the commission submits a report to parliament each year. The commission lacked sanctions to compel compliance with the law, and as a result compliance was low.

Public Access to Information: The law does not provide for public access to government information.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

The few domestic human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution prohibits discrimination on the basis of sex, race, national origin, political opinions, or color.

#### **Women**

Rape and Domestic Violence: The law criminalizes rape, which is punishable by 14 years' to life imprisonment. The law allows wives to press charges against husbands for rape, although it does not specifically criminalize spousal rape. Police and courts enforced laws to protect women against rape, but many victims were reluctant to report cases or press charges due to fear of stigma, retribution, or further violence.

In mid-August the director of public prosecutions drew public attention to a practice where parents of young rape victims choose to settle cases out of court rather than pursuing prosecution. DPP Director Victoria Charles Clarke acknowledged this as a problem since "the law has a responsibility to protect minors." The next day, the minister of gender relations and human services issued a similar public statement, speaking out against "roungement"--the practice of



accepting monetary compensation to settle cases out of court. The minister acknowledged high unemployment rates among female heads of households as an incentivizing factor for these women to accept a payout, but stressed that ultimately the state was responsible for the welfare of the child and called for communities to get involved. Legislation exists that criminalizes roungement, but it is rarely prosecuted.

The DPP reported that sexual assault remained a problem but that, in approximately one-third of reported sexual offenses, charges did not proceed due to the reluctance of victims to testify.

Domestic violence was also a significant problem. While police were willing to arrest offenders, the government prosecuted crimes of violence against women only when the victim pressed charges. Often victims were reluctant to press charges due to their financial dependence on the abuser. Shelters, a hotline, and police training were all used to deal with the problem, but the lack of financial security for the victim was one of the key impediments. The maximum amount of child support that the court can award a woman is \$250 XCD (\$93) per month per child. Police also face resource challenges such as a lack of transportation, which can prevent them from responding to a call in a timely manner. The Saint Lucia Crisis Center, a nongovernmental organization (NGO) receiving government assistance, maintained a facility for battered women and their children. The only residential facility for victims of domestic abuse, the Women's Support Center, also received government funding.

The Ministry of Health, Wellness, Human Services, and Gender Relations assisted victims. Authorities referred most of the cases to a counselor, and the police facilitated the issuance of court protection orders in some cases.

The Family Court hears cases of domestic violence and crimes against women and children. The court can issue a protection order prohibiting an abuser from entering or remaining in the residence of a specified person. The court remands perpetrators to a batterers' intervention program for rehabilitation.

Occupation and tenancy orders provide certain residential rights to victims of domestic violence, such as rental payments and protective orders. The Family Court employed full-time social workers who assisted victims of domestic violence.

The police's two vulnerable persons units handle cases involving violence against women and children. These units work closely with the Family Court and the ministry's Department of Gender Relations and Department of Human Services and Family Affairs.

The Department of Gender Relations reopened the Women's Support Center, which provided shelter, counseling, residential services, a 24-hour hotline, and assistance in finding employment. Various NGOs, such as the Saint Lucia Crisis Center and the National Organization of Women, also provided counseling, referral, education, and empowerment services. The crisis center assisted in cases of physical violence, incest, nonpayment of child support, alcohol and drug abuse, homelessness, custody, and visitation rights.

Sexual Harassment: The criminal code prohibits sexual harassment, but it remained a problem, as government enforcement was not an effective deterrent. The Department of Gender Relations continued an awareness program that provided training opportunities in workplaces and assisted establishments in creating policies and procedures on how to handle sexual harassment. As a result most cases of sexual harassment were handled in the workplace rather than prosecuted under the labor code.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely the number, spacing, and timing of their children, manage their reproductive health, and have access to the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: Women enjoyed equal legal rights, including in economic, family, property, and judicial matters. The law requires equal pay for equal work. Women were underrepresented in the labor force, had higher levels of unemployment than men, and sometimes received lower pay (see section 7.d.). Women's affairs were under the jurisdiction of the Department of Gender Relations, whose parent ministry was responsible for protecting women's rights in domestic violence cases and preventing discrimination against women, including ensuring equal treatment in employment.

## **Children**

Birth Registration: Children receive citizenship by birth to a parent with citizenship. Women can equally pass on their citizenship to their children, but the foreign husband of a Saint Lucian woman does not automatically receive Saint

Lucian citizenship, unlike the foreign wife of a Saint Lucian man. Authorities provided birth certificates to parents without undue administrative delay.

Child Abuse: Child abuse remained a problem. The Department of Human Services and Family Affairs handled cases of sexual abuse, physical abuse, abandonment, and psychological abuse. The DPP reported that during the year there were a total of 68 statutory rape cases, six incest, and 83 child abuse cases reported (including sexual and physical). The DPP's office prosecuted 23 statutory rape cases and 46 child abuse cases and obtained convictions for 15 statutory rape cases and 19 child abuse cases from January to September. Although the government condemned the practice, parents of sexually abused children sometimes declined to press sexual assault charges against the abuser in exchange for financial contributions toward the welfare of the victims. Nonetheless, courts heard some child sexual abuse cases and convicted and sentenced offenders.

The human services division provided services to victims of child abuse, including a home for severely abused and neglected children, counseling, facilitating medical intervention, finding foster care, providing family support services, and supporting the child while working with the police and attending court. The division involved itself also with public outreach in schools, church organizations, and community groups.

The Caribbean Association for Feminist Research and Action (CAFRA) operated a hotline for families suffering from different forms of abuse. Through the hotline and also through its outreach with sex workers, CAFRA learned of cases of sexual abuse that survivors had not reported to the police. The government pays families for foster care, but NGOs reported that very little economic support was available to foster families.

The Catholic Church operated the Holy Family Home for abused and abandoned children, with space for up to 20 children whom police or social workers referred to the center.

Early and Forced Marriage: The legal minimum age for marriage is 18 years for men and women, but 16 with parental consent.

Sexual Exploitation of Children: Laws on sexual offenses cover rape, unlawful sexual connection, and unlawful sexual intercourse with children under 16. The age of consent is 16 years, but a consent defense can be cited if the victim is between 12 and 16. No defense of consent is allowed when the child is under age

12. The Counter-Trafficking Act prohibits forced labor or sex trafficking of children under age 18. Although not believed to be widespread, there were reports of commercial sexual exploitation of children. No separate law defines or specifically prohibits child pornography.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

There was no organized Jewish community, and there were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Government regulations require disabled access to all public buildings, but only a few government buildings had access ramps. The health ministry operated a community-based rehabilitation program in residents' homes. Physically and visually impaired children were mainstreamed into the wider student population. In addition, separate schools were available for persons with mental disabilities and for children with hearing or visual disabilities. Children with disabilities faced barriers in education, and there were few opportunities for such persons when they became adults. While there were no official reports of discrimination, employers generally did not make accommodations for workers with disabilities. Persons with disabilities have the right to vote and selected polling stations are accessible for mobility-impaired voters, but many polling stations were inaccessible.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Consensual same-sex sexual activity is illegal under indecency statutes, and some same-sex sexual activity between men is also illegal under anal intercourse laws.

Indecency statutes carry a maximum penalty of five years' imprisonment, and anal intercourse carries a maximum penalty of 10 years in prison. No legislation protects persons from discrimination based on sexual orientation or gender identity.

While the indecency statutes and anal intercourse laws were rarely enforced, there was widespread social discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in the deeply conservative society. There were few openly LGBTI persons in the country. Openly LGBTI persons faced daily verbal harassment. Civil society received reports of LGBTI persons denied access to rental homes or forced to leave rental homes as well as being denied jobs or leaving jobs due to a hostile work environment.

There were few reported incidents of violence or abuse during the year. Civil society representatives noted that LGBTI persons were reluctant to report incidents of violence or abuse out of fear of retribution or reprisal. Media sources and the LGBTI community linked the killing during the year of 18-year-old Marvin Anthony Augustin of Grand Riviere, Gros-Islet, to the victim's sexual orientation, contending that the circumstances of Augustin's death suggested a hate crime against a gay male and that the police investigation has been very slow.

The country's sole LGBTI organization, United and Strong, conducted human rights training for selected police, customs, and correctional officers on both general and LGBTI-specific content.

## **HIV and AIDS Social Stigma**

There was widespread stigma and discrimination against persons infected with HIV/AIDS. Civil society reported that health-care workers did not respect patient confidentiality with respect to HIV/AIDS status. The Ministry of Health provided sensitization training and workshops for health-care workers during the year.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law specifies the right of most workers to form and join independent unions, bargain collectively, and strike. The law also prohibits antiunion discrimination, and workers fired for union activity have the right to reinstatement.

The law places restrictions on the right to strike by members of the police and fire departments, health services, and utilities (electricity, water, and telecommunications) on the grounds that these organizations provide “essential services.” They must give 30 days’ notice before striking. Once workers have given notice, authorities usually referred the matter to an ad hoc tribunal set up under the Essential Services Act. The government selects tribunal members, following rules to ensure tripartite representation. These ad hoc labor tribunals try to resolve disputes through mandatory arbitration.

The law provides effective remedies and penalties, but there were insufficient resources for investigation and prosecution of labor standards violations. A labor code adopted in 2012 further defined worker rights and increased penalties for violations. As of November, however, the Ministry of Education, Human Resource Development, and Labor had not established implementing regulations for the new code.

The government generally respected freedom of association, while employers generally respected the right to collective bargaining. Workers exercised the right to strike and bargain collectively.

Some companies were openly antiunion in attitude, but there were no reports of interference.

### **b. Prohibition of Forced or Compulsory Labor**

The government prohibits all forms of forced or compulsory labor and effectively enforced the prohibition. The seven labor inspectors look for child and forced labor during their inspections, but there are inadequate resources for prosecution of cases. Forced labor violations can result in fines of up to \$10,000 XCD (\$3,700) and five to 10 years in prison. Penalties were sufficient to deter violations. Although there have been reports of forced labor in the past, there were no reports of forced labor during the year.

Also see the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law provides for a minimum legal working age of 15, once the child has finished the school year. The minimum legal age for industrial work is 18. The

law provides special protections for workers younger than 18 regarding working conditions and prohibits hazardous work, although there are no specific restrictions on working hours for those under 18. There is no comprehensive list of what constitutes hazardous work; however, the Occupational Health and Safety Act prohibits children under age 18 from working in industrial undertakings, including using machinery and working in extreme temperatures. Children ages 15 to 18 need their parent's permission to work.

The Ministry of Education, Human Resource Development, and Labor was responsible for enforcing statutes regulating child labor. These laws were effectively enforced, and the penalties and inspections were adequate.

Child labor was uncommon, but existed in the informal economy mostly in family based agriculture, in domestic labor, and in roadside craft shops, urban food stalls, and selling confectionery on sidewalks on non-school days and during festivals. There were no formal reports of violations of child labor laws. There were indications that commercial sexual exploitation of children occurred (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination With Respect to Employment or Occupation**

The law and regulations prohibit discrimination regarding race, color, sex, religion, national extraction, social origin, ethnic origin, political opinion or affiliation, age, disability, serious family responsibility, pregnancy, marital status or HIV/AIDS, but not sexual orientation or gender-identity. Civil society received reports of LGBTI persons being denied jobs or leaving jobs due to a hostile work environment. There are no specific penalties for discrimination, but discrimination is covered under the general penalties section of the labor code equaling one year imprisonment or a fine of \$5,000 XCD (\$1,850). The government did not penalize any company or person for discrimination during the year. Two formal complaints of discrimination in employment and occupation, both related to pregnancies, were under investigation by Ministry of Education, Human Resource Development, and Labor.

#### **e. Acceptable Conditions of Work**

No national minimum wage is in effect. The government's Statistics Department calculated the poverty income level in 2011 as \$3,320 XCD (\$1,230) per year. A national poverty assessment conducted in 2005/2006 found that 29 percent of the population fell below the poverty line.

The legislated workweek is 40 hours with a maximum of eight hours per day. Overtime hours are at the discretion of the employer and the agreement of the employee. Pay is time and a half for work over eight hours and double for work on Sundays and public holidays. Monthly paid workers are entitled to a minimum of 14 paid vacation days after one year. Workers paid on a daily or biweekly schedule have a minimum of 14 vacation days after 200 working days. Special legislation covers work hours for shop assistants, agricultural workers, domestic workers, and workers in industrial establishments. Labor laws, including occupational health and safety standards, apply to all workers whether in the formal or informal sectors.

The government generally enforced labor laws. The labor code provides penalties for violations of labor standards of up to \$10,000 XCD (\$3,700) or two years' imprisonment. The ministry's labor commissioner is charged with monitoring violations of labor law. Authorities rarely levied fines, due to a lack of sufficient resources and staff, and employers generally were responsive to ministry requests to address labor code violations. There were eight compliance officers to monitor compliance pension standards and standards governing terminations, vacation and sick leave, contracts, and hours of work. There were no reported violations of wage laws. Labor unions did not routinely report such violations, and most categories of workers received much higher wages based on prevailing market conditions. There were no reported workplace fatalities or major accidents.

The government sets occupational safety and health (OSH) standards that are current and appropriate. There is one OSH inspector; the nine labor inspectors also assist with occupational and safety standard inspections. The number of inspectors is not adequate to enforce compliance. Workers could remove themselves from situations that endangered health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. OSH violations most commonly occurred in schools and government offices.