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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-eighth session**  
3–14 May 2021

## **Compilation on Seychelles**

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1, 2</sup>**

2. In 2018, the Committee on the Rights of the Child welcomed the progress made by Seychelles in ratifying and acceding to international instruments.<sup>3</sup> Two committees welcomed the accession of Seychelles to the International Convention for the Protection of All Persons from Enforced Disappearance, in 2017.<sup>4</sup>

3. In 2018, the Committee against Torture invited Seychelles to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and any other core United Nations human rights treaties to which it was not yet party.<sup>5</sup> The Committee on the Rights of the Child recommended that Seychelles ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.<sup>6</sup>

4. Two committees regretted the delay by Seychelles in submitting its national reports.<sup>7</sup> The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomed the country's submission of its initial report to the Committee against Torture, in 2018.<sup>8</sup>

5. The Committee against Torture welcomed the issuance of a standing invitation to special procedures mechanisms of the Human Rights Council in 2016.<sup>9</sup>

6. Two committees and UNHCR recommended that Seychelles ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.<sup>10</sup>



7. In 2018, the Committee on the Rights of Persons with Disabilities recommended that Seychelles accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled as soon as possible.<sup>11</sup>

8. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Seychelles ratify the Convention against Discrimination in Education.<sup>12</sup>

9. The Committee on the Rights of the Child recommended that Seychelles consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, the Protocol on the Law Applicable to Maintenance Obligations and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children.<sup>13</sup>

10. Seychelles is covered by the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for Southern Africa. OHCHR worked with Seychelles on the ratification of international human rights instruments and trained relevant actors to enhance their engagement with treaty bodies.<sup>14</sup>

### **III. National human rights framework<sup>15</sup>**

11. While noting that article 48 of the Constitution provided that chapter 3 of the Constitution, which contained the Seychellois Charter of Fundamental Human Rights and Freedoms, was to be interpreted in such a way as not to be inconsistent with any international obligations of Seychelles relating to human rights and freedoms, the Committee against Torture was concerned that the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had to be incorporated into national legislation in order to be directly enforceable.<sup>16</sup> Three committees recommended that Seychelles fully incorporate the provisions of international human rights treaties into its national legislation in order to ensure their direct applicability.<sup>17</sup>

12. In 2019, the Committee on the Elimination of Discrimination against Women welcomed the adoption, in 2018, of the Seychelles Human Rights Commission Act establishing the Seychelles Human Rights Commission, as well as the request for its accreditation by the Global Alliance of National Human Rights Institutions. It was concerned, however, that the Commission was not yet compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that issues of women's empowerment and gender equality were not yet included as part of its mandate.<sup>18</sup> Three committees recommended that Seychelles ensure the independence of the Seychelles Human Rights Commission, in compliance with the Paris Principles, and allocate adequate human, technical and financial resources to it.<sup>19</sup>

## **IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### **1. Equality and non-discrimination<sup>20</sup>**

13. The Committee on the Rights of the Child reiterated its previous recommendations and urged Seychelles to adopt and implement a comprehensive strategy addressing all forms of discrimination, including multiple forms of discrimination, against all groups of children in vulnerable situations, and combating discriminatory societal attitudes.<sup>21</sup>

14. The Committee on the Elimination of Discrimination against Women was concerned about the persistence of discriminatory gender stereotypes and patriarchal attitudes regarding the roles and responsibilities of women and men in the family and in society.<sup>22</sup>

15. The same Committee noted that consensual same-sex relationships had been decriminalized. It was concerned, however, about acts of gender-based violence and

persistent societal discrimination against lesbian, bisexual and transgender women. It recommended that Seychelles make the necessary legislative changes and implement a policy to eliminate such discrimination and acts of violence.<sup>23</sup>

16. The Committee on the Rights of Persons with Disabilities recommended that Seychelles adopt and implement, in consultation with representative organizations of persons with disabilities, a comprehensive public awareness-raising policy and strategy with the aim of changing attitudes towards disability and building a culture that valued diversity and the participation and involvement in society of all persons with disabilities.<sup>24</sup>

## **2. Development, the environment, and business and human rights<sup>25</sup>**

17. The Committee on the Rights of Persons with Disabilities recommended that Seychelles continue efforts to ensure the inclusion of a disability rights perspective in the Disaster Risk Management Act. The Committee also recommended that Seychelles consult closely with organizations of persons with disabilities to ensure that requirements of persons with disabilities were included in the design and implementation of all disaster risk reduction and management plans and climate change adaptation, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030.<sup>26</sup>

18. The Committee on the Elimination of Discrimination against Women recommended that Seychelles integrate a gender perspective into national policies and programmes on climate change, disaster response and disaster risk reduction, and ensure that women participated in the development and implementation of such policies and programmes.<sup>27</sup>

19. The Committee on the Rights of the Child recommended that Seychelles establish and implement regulations to ensure that the business sector complied with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights. It also recommended that Seychelles establish a clear regulatory framework for the industries operating in the country, in particular the tourism, fishing and farming industries, to ensure that their activities did not negatively affect children's rights or endanger environmental and other standards.<sup>28</sup>

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person<sup>29</sup>**

20. The Committee against Torture recommended that Seychelles take steps to remove the discrepancy between the constitutional prohibition of the death penalty and other national legislation that contained mention of "the sentence of death".<sup>30</sup>

21. The same Committee was concerned that there were no provisions specifically prohibiting torture, cruel, inhuman or degrading treatment or punishment in the criminal laws of Seychelles, despite the constitutional provision in that regard. It also noted that there was no definition of torture in line with article 1 of the Convention against Torture, and that there was a maximum time limit of 90 days after the infraction to seize the Constitutional Court in relation to violations of the Seychellois Charter of Fundamental Human Rights and Freedoms, which was part of the Constitution.<sup>31</sup> The Committee recommended that Seychelles amend the Penal Code in order to introduce the specific crime of torture; introduce a definition of torture that included all the elements set out in article 1 of the Convention; and ensure that the prohibition of torture was absolute and non-derogable and that there was no statute of limitations for the crime of torture.<sup>32</sup>

22. The Committee against Torture was concerned that detained persons might not enjoy all fundamental legal safeguards from the outset of their deprivation of liberty, such as the right to be informed immediately of the reasons for their arrest or detention, and not as soon as reasonably practicable thereafter; and that only minors, but not adults, were allowed to contact family members or other persons of their choice about their detention. The Committee was also concerned about the absence of a standard medical examination from the outset of deprivation of liberty; that the 24-hour rule of bringing detained persons before a court was not always respected and that persons might be held by police without charges for up to 14 days; and that all stages of detention were not necessarily recorded in registers.<sup>33</sup>

23. The Committee against Torture welcomed the establishment by the President of the High Level Committee on prison reform and prison rehabilitation, in 2017.<sup>34</sup> While taking note of the opening of the new detention remand facility for male detainees in 2017 and other improvements, the Committee was concerned about the generally high incarceration rate; the absence of separation in certain cases of convicted prisoners from those detained on remand; deaths in custody and inter-prisoner violence; the incarceration of male and female prisoners sometimes in the same place of deprivation of liberty and the fact that juveniles were not always separated from adults in detention; the acute shortage and reported lack of commitment of medical personnel for persons deprived of their liberty; and the alarmingly high prevalence of HIV/AIDS and hepatitis among inmates.<sup>35</sup>

24. The same Committee recommended that Seychelles take all necessary measures to ensure that pretrial detention was reduced to the extent possible, was exceptional and was carried out in keeping with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also urged Seychelles to promote alternatives to pretrial detention, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures.<sup>36</sup>

25. While noting that the Prison Advisory Board, the National Human Rights Commission, the Ombudsman and some civil society organizations were able to visit places of detention, the Committee against Torture was concerned that Seychelles had not established a national system to independently monitor and inspect all places of detention, including psychiatric institutions and social care homes, and the lack of an independent mechanism to receive and investigate complaints.<sup>37</sup>

## **2. Administration of justice, including impunity, and the rule of law<sup>38</sup>**

26. The Committee against Torture recommended that Seychelles continue with its efforts to reform the judiciary; provide members of the judiciary with relevant training; take vigorous steps to eradicate corruption and prosecute and punish the perpetrators; ensure the independence of the judiciary from executive influence; reduce the backlog of cases; and enhance the efficiency of judicial proceedings.<sup>39</sup>

27. The Committee on the Rights of the Child recommended that Seychelles strengthen the capacity of the Anti-Corruption Commission to effectively detect, investigate and prosecute corruption.<sup>40</sup>

28. The Committee on the Elimination of Discrimination against Women welcomed the efforts of Seychelles to increase access to justice by women and girls. It recommended that Seychelles intensify efforts to address physical and economic barriers that women and girls faced in gaining access to courts, enhance awareness among women and girls and strengthen the judicial system, including through the allocation of sufficient human, technical and financial resources and through regular capacity-building on women's rights and gender equality for judges, prosecutors, lawyers, police officers and other law enforcement officials.<sup>41</sup>

29. The Committee on the Rights of Persons with Disabilities recommended that Seychelles ensure that persons with disabilities could have effective access to justice on an equal basis with others, including through the provision of free legal aid and procedural accommodation, including by means of the Easy Read format, professional sign language interpretation and the use of Braille.<sup>42</sup>

## **3. Fundamental freedoms and the right to participate in public and political life<sup>43</sup>**

30. UNESCO noted that the Access to Information Act, which was aimed at enhancing transparency, accountability and integrity in public service and administration, allowed for exemptions in a number of cases, including with regard to security or defence of the country and economic interests of the State. It recommended that Seychelles review the Act in order to ensure that it was in line with international standards.<sup>44</sup>

31. UNESCO recorded no killings in Seychelles since systematic reporting had begun in 2008.<sup>45</sup>

32. UNESCO reported that Seychelles regarded defamation as a criminal act. UNESCO recommended that Seychelles decriminalize defamation and place it within a civil code that was in accordance with international standards.<sup>46</sup>

33. UNESCO noted that the Seychelles Media Commission was not independent from the Government. All seven members of the Commission were appointed by the President of Seychelles. Two members, including the Chair, were chosen directly by the President, while the other five were chosen by the President from among candidates proposed by the Seychelles Media Association, the National Assembly, the judiciary, the Department of Information and the Liaison Unit for Non-Governmental Organizations.<sup>47</sup>

#### **4. Prohibition of all forms of slavery<sup>48</sup>**

34. The Committee on the Rights of the Child welcomed the steps taken by Seychelles to combat trafficking in persons. The Committee recommended that Seychelles allocate the resources necessary for the implementation of the Prohibition of Trafficking in Persons Act; promptly investigate and prosecute cases of child trafficking; and strengthen awareness-raising programmes for judicial, law enforcement and other officials.<sup>49</sup>

35. UNHCR recommended that Seychelles adopt a national action plan to address trafficking in persons, especially trafficking for purposes of sexual exploitation; establish comprehensive shelters or care facilities available for victims of trafficking in persons; and provide sufficient resources for victim assistance.<sup>50</sup> The Committee on the Elimination of Discrimination against Women recommended that Seychelles put in place an adequate and well-resourced system for the early identification of victims of trafficking in persons and their referral to appropriate services.<sup>51</sup>

36. The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) was deeply concerned at the situation of children who were engaged in prostitution, particularly sex tourism, and urged the Government to ensure that thorough investigations and robust prosecutions were carried out against persons suspected of using, procuring or offering children for prostitution.<sup>52</sup> The Committee against Torture recommended that Seychelles investigate reports of young women entering the country on private aircraft for purposes of sexual exploitation, and that it prosecute the perpetrators.<sup>53</sup>

37. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families encouraged Seychelles to fully implement its recommendations to, inter alia, systematically collect data, disaggregated by gender, age and origin, in order to effectively combat trafficking in human beings and exploitation of prostitution; and step up campaigns on the prevention of the trafficking of migrant workers and encourage the private sector to adopt a “zero-tolerance” policy with regards to sex tourism and to protect persons against trafficking and commercial sexual exploitation.<sup>54</sup>

38. The Committee on the Elimination of Discrimination against Women recommended that Seychelles amend the Penal Code in order to exempt women and girls in prostitution from criminal liability in respect of acts of prostitution, and that it repeal derogatory language. It also recommended that Seychelles provide exit programmes and alternative income-generating opportunities for women who wished to leave prostitution, as well as adequate protection and rehabilitation services for women and girls who were victims of exploitation of prostitution.<sup>55</sup>

### **C. Economic, social and cultural rights**

#### **1. Right to work and to just and favourable conditions of work<sup>56</sup>**

39. The ILO Committee of Experts welcomed the inclusion in the Employment Bill of provisions on prohibition of direct and indirect discrimination on all grounds enumerated in Article 1 (1) (a) of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).<sup>57</sup>

40. The Committee on the Elimination of Discrimination against Women remained concerned that women frequently faced occupational segregation with concomitant wage differentials, and that the high achievements of girls in education did not translate into labour market opportunities.<sup>58</sup> The Committee recommended that Seychelles develop a deliberate strategy to move women from microenterprises to medium-sized and large enterprises and promote women's access to loans and other forms of financial credit.<sup>59</sup>

41. The Committee on the Rights of Persons with Disabilities commended Seychelles for its efforts to increase the number of persons with disabilities in employment.<sup>60</sup> It recommended that Seychelles revise the meaning of "reasonable provision" and ensure that it was in line with the Convention on the Rights of Persons with Disabilities; designate an entity for monitoring and sanctioning non-compliance with the Employment Act and the 2013 policy on elimination of discrimination against persons with disabilities at work; and adopt measures to increase the number of employed persons with disabilities, particularly women, to promote employment opportunities in the open labour market, in self-employment and in entrepreneurship.<sup>61</sup>

## **2. Right to social security**

42. The Committee on the Rights of Persons with Disabilities commended Seychelles for the adoption of amendments to the Social Security Act to ensure that persons with disabilities did not lose all their benefits when they took up employment.<sup>62</sup>

## **3. Right to an adequate standard of living<sup>63</sup>**

43. UNHCR noted that the economy of Seychelles depended heavily on the fishing industry and tourism and that the coronavirus disease (COVID-19) pandemic would have severe effects on economic growth as the closure of borders and international travel had impacted those sectors.<sup>64</sup>

44. The Committee on the Elimination of Discrimination against Women called for the realization of de jure (legal) and de facto (substantive) gender equality throughout the process of implementing the 2030 Agenda for Sustainable Development.<sup>65</sup>

## **4. Right to health<sup>66</sup>**

45. The ILO Committee of Experts acknowledged the adoption in 2015 of the National Health Policy 2016–2020, which positioned health at the centre of national development, but noted that despite the fact that the number of health workers in relation to the population was high, more specialization and research was needed to achieve better health outcomes.<sup>67</sup>

46. The Committee on the Elimination of Discrimination against Women acknowledged measures taken by Seychelles, but noted with concern that no national policy on sexual and reproductive health had been adopted by the country. It recommended that Seychelles expedite the adoption of the national policy on sexual and reproductive health and of the action plan on reproductive health, and establish a permanent body to coordinate and monitor their implementation.<sup>68</sup>

47. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the adolescent sexual and reproductive health policy, in 2018.<sup>69</sup> The Committee on the Rights of the Child recommended that Seychelles strengthen its adolescent reproductive health programmes; continue to allow access to contraceptives for adolescents under the age of 18 years and provide a legal basis to ensure access to comprehensive health services, confidential counselling and support for pregnant adolescent girls, rather than leaving to the discretion of medical personnel decisions on waiving the requirement of parental consent for the treatment of children.<sup>70</sup>

48. The Committee on the Elimination of Discrimination against Women recommended that Seychelles repeal sections 147 to 149 of the Penal Code to decriminalize abortion in all cases, and ensure access to safe abortion services and post-abortion care.<sup>71</sup>

49. The Committee on the Rights of Persons with Disabilities recommended that Seychelles continue improving the accessibility of timely and quality health-care services for persons with disabilities, including in the area of sexual and reproductive health and rights

and of HIV/AIDS prevention and care. It also recommended that Seychelles ensure that personnel in hospitals and health-care centres received regular and compulsory training on the rights of persons with disabilities.<sup>72</sup>

50. The Committee on the Rights of the Child welcomed the measures taken by Seychelles to combat drug and substance abuse. The Committee, however, urged Seychelles to strengthen its measures to address drug use by children and adolescents; ensure sufficient and adequate human, technical and financial resources for the Prevention of Drug Abuse and Rehabilitation Agency; and prohibit tobacco and alcohol advertising by privately owned media and companies.<sup>73</sup>

## **5. Right to education<sup>74</sup>**

51. UNESCO noted that the amended Education Act of 2017 provided that education from primary level 1 to secondary level 5 was compulsory; however, the duration was not explicit. It recommended that Seychelles ensure in the legislation at least nine years of compulsory primary and secondary education and that at least one year of pre-primary education was free and compulsory. UNESCO also recommended that Seychelles explicitly proscribe in national legislation any form of discrimination in education.<sup>75</sup>

52. The ILO Committee of Experts requested the Government to continue its efforts to decrease the dropout rates and reduce the number of out-of-school children, paying special attention to boys, as well as to continue to take measures to provide adequate vocational training for girls.<sup>76</sup> The Committee on the Rights of the Child urged Seychelles to ensure the allocation of sufficient and adequate human, technical and financial resources to the education system.<sup>77</sup>

53. UNESCO noted that women and girls were concentrated in traditionally female-dominated fields of study and underrepresented in the fields of science, technology, engineering and mathematics at the secondary and tertiary levels. It recommended that Seychelles address gender stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study.<sup>78</sup>

54. The Committee on the Elimination of Discrimination against Women recommended that Seychelles ensure the effective retention and reintegration of pregnant girls and young mothers into the school system, including by reviewing the teenage pregnancy policy to include out-of-school educational support for teenage mothers.<sup>79</sup>

55. UNESCO noted that, despite the inclusive education policy adopted in 2015, special and segregated education persisted. UNESCO noted that there was neither a legal duty to provide and monitor the provision of reasonable accommodation to students with disabilities in mainstream education, nor a mechanism to monitor accessibility standards within and outside school infrastructures, and that facilities and services remained inaccessible.<sup>80</sup> The Committee on the Rights of Persons with Disabilities urged Seychelles to provide sufficient resources and continue efforts to implement its inclusive education policy, ensuring that children with disabilities had the necessary support services to exercise their right to education.<sup>81</sup>

## **D. Rights of specific persons or groups**

### **1. Women<sup>82</sup>**

56. The Committee on the Elimination of Discrimination against Women recommended that Seychelles adopt, without delay, a comprehensive definition of discrimination against women in its Constitution, covering internationally recognized prohibited grounds of discrimination and encompassing direct and indirect discrimination in both the public and private spheres, including intersecting forms of discrimination.<sup>83</sup> It also recommended that Seychelles fully incorporate the provisions of the Convention on the Elimination of All Forms of Discrimination against Women into its national law.<sup>84</sup>

57. The same Committee commended Seychelles on the adoption of a national gender plan of action for the period 2019–2023 and on the appointment of the National Gender

Management Team. The Committee, however, noted with concern that the Gender Secretariat, which supported gender mainstreaming across all sectors, lacked adequate human, technical and financial resources, and it recommended that Seychelles allocate them.<sup>85</sup> It also recommended that Seychelles implement and regularly monitor measures taken under the national gender plan of action for the period 2019–2023.<sup>86</sup>

58. The Committee on the Elimination of Discrimination against Women welcomed the increased representation of women in leadership positions, but remained concerned that women remained underrepresented at the decision-making level of political life, including in the parliament, the foreign service and academic leadership positions. It recommended that Seychelles introduce special temporary measures to ensure gender parity in appointed and elected positions and build the capacity of women candidates in leadership, negotiation skills and political campaigning.<sup>87</sup> It also recommended that Seychelles introduce a minimum quota of 30 per cent for the representation of women in the parliament.<sup>88</sup>

59. The same Committee commended Seychelles on its efforts to counter gender-based violence, but noted with concern that the incidence of gender-based violence in the country continued to be among the highest in the region. It recommended that Seychelles update its strategy on gender-based violence and adopt a new adequately funded national action plan; provide specialized training to judges, prosecutors, lawyers, police officers and other law enforcement officials, health personnel, social workers and non-State actors; provide support to victims and survivors and ensure that they have adequate access to shelters and support services; and ensure that perpetrators are prosecuted and adequately punished.<sup>89</sup> UNHCR welcomed the approval and entry into force of the Domestic Violence Act 2020.<sup>90</sup>

## 2. Children<sup>91</sup>

60. UNHCR reported that Seychelles had a strong record in birth registration and had achieved universal birth registration.<sup>92</sup>

61. The Committee on the Rights of the Child noted that the Social Service Division of the Social Affairs Department of the Ministry of Social Affairs, Community Development and Sport was challenged by constraints regarding human, technical and financial resources. It urged Seychelles to continue reviewing the mandate, membership and functioning of its coordinating entities for activities related to the implementation of the Convention.<sup>93</sup> The Committee also recommended that Seychelles conduct a comprehensive assessment of the budget needs of children, allocate adequate budgetary resources for the implementation of children's rights and utilize a child-rights approach in planning the State budget.<sup>94</sup>

62. UNHCR welcomed the adoption of the Children (Amendment) Act 2020. The Act amended the Children Act 1982 through the insertion of a new section prohibiting all corporal punishment of children and by repealing section 70 (7), which had recognized a right of parents and others to administer "proper" punishment.<sup>95</sup>

63. The Committee on the Rights of the Child recommended that Seychelles strengthen mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation and ensure that specific training was provided to judiciary and law enforcement officials so as to change any misconceptions towards child victims and to enable officials to expeditiously handle sensitive cases involving children.<sup>96</sup>

64. The Committee on the Rights of the Child also recommended that Seychelles further strengthen the institutional structures and mechanisms to protect children from economic exploitation, including the worst forms of child labour, to systematically record cases of child labour, particularly labour in hazardous conditions and in the informal sector, and to increase labour inspections at places of work and bring perpetrators to justice.<sup>97</sup>

65. The same Committee remained concerned that the minimum age of criminal responsibility was 7 years, and that children between 7 and 12 years of age could be held criminally responsible if found to be sufficiently mature. It urged Seychelles to bring its juvenile justice system fully into line with the Convention and other relevant standards and recommended that it expeditiously raise the age of criminal responsibility to an internationally accepted standard.<sup>98</sup> The Committee against Torture made similar recommendations.<sup>99</sup>



66. The Committee on the Rights of the Child recommended that Seychelles ensure that the juvenile justice system was equipped with adequate human, technical and financial resources and that designated specialized judges for children received appropriate training.<sup>100</sup>

### 3. Persons with disabilities<sup>101</sup>

67. The Committee on the Rights of Persons with Disabilities was seriously concerned about the delays in the review, repeal and amendment of existing domestic legislation that was not in line with the Convention on the Rights of Persons with Disabilities and lack of a specific act or resolution for domestication of the Convention.<sup>102</sup> It recommended that Seychelles expedite efforts to review all legislation and policies in order to harmonize them with the Convention; promote a human rights model for disability and eliminate the use of all derogatory language in laws and when referring to persons with disabilities; and allocate sufficient resources for the implementation of the National Policy on Disability and the national plan of action on disability.<sup>103</sup>

68. The Committee on the Rights of Persons with Disabilities recommended that Seychelles amend the National Council for Disabled Persons Act (1994) to ensure that persons with disabilities, through their representative organizations, were included at all levels of legislative and policy formulation.<sup>104</sup>

69. The same Committee recommended that Seychelles recognize the denial of reasonable accommodation as a form of disability-based discrimination.<sup>105</sup> It also recommended that Seychelles adopt, in close consultation with representative organizations of persons with disabilities, a comprehensive national accessibility action plan to effectively implement accessibility standards and expedite the review of relevant laws.<sup>106</sup>

70. The Committee on the Rights of Persons with Disabilities recommended that Seychelles ensure the legal capacity of persons with disabilities on an equal basis with others and replace substituted decision-making regimes with supported decision-making regimes that respected the autonomy, will and preferences of the person.<sup>107</sup>

71. The same Committee recommended that Seychelles urgently start the process of deinstitutionalization of those persons with disabilities still in a residential setting and increase the availability of community-based services aimed at enabling persons with disabilities to live and participate in the community.<sup>108</sup>

72. The Committee on the Rights of Persons with Disabilities recommended that Seychelles take the necessary measures to ensure the rights of all persons with disabilities to participate in political and public life, including electoral matters. It recommended that Seychelles provide information about electoral processes in accessible formats and remove all physical and other barriers from, and provide reasonable accommodation throughout, the whole electoral process.<sup>109</sup>

### 4. Migrants, refugees, asylum seekers and internally displaced persons<sup>110</sup>

73. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families encouraged Seychelles to continue to implement its recommendation to ensure that migrant workers enjoyed treatment not less favourable than that which applied to nationals in respect of remuneration, and that such treatment was strictly enforced through the conduct of regular and unannounced labour inspections in sectors where migrant workers were concentrated, in particular in the fishing, tourism and construction industries.<sup>111</sup> The Committee against Torture was concerned that foreign workers could at times be subjected to ill-treatment, discrimination, bad living conditions and sanitation, lower wages and non-payment of salaries, which could amount to forced labour and inhuman treatment.<sup>112</sup>

74. UNHCR noted that there were no known refugees or asylum seekers who had sought refuge in the Seychelles.<sup>113</sup> It further noted that the closure of borders during the COVID-19 pandemic limited the right of asylum seekers to access to the territory in order to seek asylum.<sup>114</sup>

75. The Committee against Torture was concerned that Seychelles did not have a national legislative asylum framework, that there was no functioning national asylum system, including for refugee status determination, and that there were no provisions in domestic law

prohibiting refoulement of persons who might require international protection.<sup>115</sup> UNHCR recommended that Seychelles accelerate efforts to domesticate the 1951 Convention relating to the Status of Refugees by adopting national asylum legislation and establishing a State asylum system.<sup>116</sup> The Committee on the Rights of the Child made similar recommendations.<sup>117</sup>

## 5. Stateless persons

76. UNHCR noted that Seychelles had no known case of stateless persons.<sup>118</sup> The Committee on the Rights of the Child was concerned that the Citizenship Act did not provide for the acquisition of citizenship of Seychelles by children born to unknown parents or abandoned by their parents on the territory of Seychelles. The Committee recommended that Seychelles introduce legal safeguards for children who would otherwise be stateless.<sup>119</sup> UNHCR made similar recommendations.<sup>120</sup>

### Notes

- <sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Seychelles will be available at [www.ohchr.org/EN/HRBodies/UPR/Pages/SCIndex.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/SCIndex.aspx).
- <sup>2</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.1–120.24 and 120.90–120.94.
- <sup>3</sup> CRC/C/SYC/CO/5-6, para. 3.
- <sup>4</sup> CEDAW/C/SYC/CO/6, para. 6; and CAT/C/SYC/CO/1, para. 3 (l). See also OHCHR, “UN Human Rights in the field: Africa”, in *United Nations Human Rights Report 2017*, p. 183.
- <sup>5</sup> CAT/C/SYC/CO/1, para. 43. See also CRC/C/SYC/CO/5-6, para. 42 (a).
- <sup>6</sup> CRC/C/SYC/CO/5-6, paras. 41 and 42 (b)–(c). See also CRPD/C/SYC/CO/1, para. 11.
- <sup>7</sup> CEDAW/C/SYC/CO/6, para. 2; and CAT/C/SYC/CO/1, para. 2. See also CRPD/C/SYC/CO/1, para. 2.
- <sup>8</sup> UNHCR submission for the universal periodic review of Seychelles, p. 3.
- <sup>9</sup> CAT/C/SYC/CO/1, para. 5 (f).
- <sup>10</sup> *Ibid.*, para. 31 (c); CRC/C/SYC/CO/5-6, para. 21 (b); and UNHCR submission, p. 4.
- <sup>11</sup> CRPD/C/SYC/CO/1, para. 52 (b).
- <sup>12</sup> UNESCO submission for the universal periodic review of Seychelles, p. 5.
- <sup>13</sup> CRC/C/SYC/CO/5-6, para. 27 (c).
- <sup>14</sup> OHCHR, *United Nations Human Rights Report 2019*, p. 245; OHCHR, *United Nations Human Rights Report 2018*, p. 215; OHCHR, “UN Human Rights in the field: Africa”, in *United Nations Human Rights Report 2017*, p. 183; OHCHR, “OHCHR in the field: Africa”, in *OHCHR Report 2016*, p. 169; and OHCHR, “OHCHR in the field: Africa”, in *OHCHR Report 2015*, p. 150.
- <sup>15</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.25, 120.59–120.73 and 120.89.
- <sup>16</sup> CAT/C/SYC/CO/1, para. 8.
- <sup>17</sup> *Ibid.*, para. 9; CRC/C/SYC/CO/5-6, para. 5; and CEDAW/C/SYC/CO/6, para. 12.
- <sup>18</sup> CEDAW/C/SYC/CO/6, paras. 4 (a) and 19. See also UNHCR submission, p. 2.
- <sup>19</sup> CEDAW/C/SYC/CO/6, para. 20; CAT/C/SYC/CO/1, para. 27; CRC/C/SYC/CO/5-6, para. 12 (b). See also CRPD/C/SYC/CO/1, para. 57 (b).
- <sup>20</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.45–120.53 and 120.95–120.96.
- <sup>21</sup> CRC/C/SYC/CO/5-6, para. 17 (c).
- <sup>22</sup> CEDAW/C/SYC/CO/6, para. 23.
- <sup>23</sup> *Ibid.*, paras. 4 (c) and 43–44.
- <sup>24</sup> CRPD/C/SYC/CO/1, para. 19 (a).
- <sup>25</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.149–120.150.
- <sup>26</sup> CRPD/C/SYC/CO/1, para. 23.
- <sup>27</sup> CEDAW/C/SYC/CO/6, para. 46.
- <sup>28</sup> CRC/C/SYC/CO/5-6, paras. 15 (a)–(b).
- <sup>29</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.87 and 120.103–120.108.
- <sup>30</sup> CAT/C/SYC/CO/1, para. 11.
- <sup>31</sup> *Ibid.*, para. 6.
- <sup>32</sup> *Ibid.*, para. 7 (a)–(b), (d) and (f).
- <sup>33</sup> *Ibid.*, para. 16.
- <sup>34</sup> *Ibid.*, para. 5 (e).
- <sup>35</sup> *Ibid.*, para. 22.
- <sup>36</sup> *Ibid.*, para. 19.
- <sup>37</sup> *Ibid.*, para. 24.

- <sup>38</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.36 and 120.118–120.119.
- <sup>39</sup> CAT/C/SYC/CO/1, para. 21.
- <sup>40</sup> CRC/C/SYC/CO/5-6, para. 10 (g).
- <sup>41</sup> CEDAW/C/SYC/CO/6, paras. 14 (b) and 15–16.
- <sup>42</sup> CRPD/C/SYC/CO/1, para. 27 (b).
- <sup>43</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.55–120.58, 120.74, 120.102, 120.116 and 120.120–120.123.
- <sup>44</sup> UNESCO submission, pp. 2 and 6.
- <sup>45</sup> *Ibid.*, p. 3.
- <sup>46</sup> *Ibid.*, pp. 3 and 5.
- <sup>47</sup> *Ibid.*, p. 3.
- <sup>48</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.44, 120.54 and 120.84–120.86.
- <sup>49</sup> CRC/C/SYC/CO/5-6, paras. 37 (a)–(c). See also CEDAW/C/SYC/CO/6, paras. 28 (a)–(b); UNHCR submission, p. 5; and letter from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2018, p. 2. Available at [https://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/SYC/INT\\_CMW\\_FUL\\_SYC\\_30985\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/SYC/INT_CMW_FUL_SYC_30985_E.pdf). See also [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3292607:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292607:NO).
- <sup>50</sup> UNHCR submission, p. 5. See also letter from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2018, p. 2.
- <sup>51</sup> CEDAW/C/SYC/CO/6, para. 28 (a). See also CAT/C/SYC/CO/1, paras. 39 (a)–(b); and letter from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2018, p. 2.
- <sup>52</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3292607:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292607:NO).
- <sup>53</sup> CAT/C/SYC/CO/1, paras. 39 (a)–(b).
- <sup>54</sup> Letter from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2018, p. 2. See also CMW/C/SYC/CO/1/Add.1, pp. 4–6.
- <sup>55</sup> CEDAW/C/SYC/CO/6, paras. 30 (a) and (c).
- <sup>56</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.128 and 120.145.
- <sup>57</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4022968:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4022968:NO).
- <sup>58</sup> CEDAW/C/SYC/CO/6, para. 35. See also [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4022968:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4022968:NO).
- <sup>59</sup> CEDAW/C/SYC/CO/6, paras. 38 (a)–(b).
- <sup>60</sup> CRPD/C/SYC/CO/1, para. 4.
- <sup>61</sup> *Ibid.*, paras. 46 (a)–(b) and (d). See also CEDAW/C/SYC/CO/6, para. 35.
- <sup>62</sup> CRPD/C/SYC/CO/1, para. 4.
- <sup>63</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.124–120.126 and 120.130.
- <sup>64</sup> UNHCR submission, p. 1.
- <sup>65</sup> CEDAW/C/SYC/CO/6, para. 7.
- <sup>66</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.82–120.83, 120.129 and 120.131.
- <sup>67</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4000660:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4000660:NO).
- <sup>68</sup> CEDAW/C/SYC/CO/6, paras. 39 (a) and 40 (a). See also CRC/C/SYC/CO/5-6, para. 32.
- <sup>69</sup> CEDAW/C/SYC/CO/6, para. 5 (b).
- <sup>70</sup> CRC/C/SYC/CO/5-6, para. 32 (c). See also CEDAW/C/SYC/CO/6, para. 40 (b).
- <sup>71</sup> CEDAW/C/SYC/CO/6, para. 40 (c).
- <sup>72</sup> CRPD/C/SYC/CO/1, para. 44 (d).
- <sup>73</sup> CRC/C/SYC/CO/5-6, paras. 33 (a)–(c).
- <sup>74</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.76, 120.88, 120.132–120.142 and 120.146–120.147.
- <sup>75</sup> UNESCO submission, pp. 3–5.
- <sup>76</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3292611:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292611:NO). See also CRC/C/SYC/CO/5-6, para. 34 (a).
- <sup>77</sup> CRC/C/SYC/CO/5-6, para. 34 (c).
- <sup>78</sup> UNESCO submission, pp. 4–5. See also CEDAW/C/SYC/CO/6, paras. 33–34.
- <sup>79</sup> CEDAW/C/SYC/CO/6, para. 34 (b). See also CRC/C/SYC/CO/5-6, para. 34 (b).
- <sup>80</sup> UNESCO submission, p. 4.

- <sup>81</sup> CRPD/C/SYC/CO/1, paras. 41 and 42 (d). See also CRC/C/SYC/CO/1, para. 29.
- <sup>82</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.26–120.34, 120.77–120.78, 120.97, 120.109–120.111 and 120.117.
- <sup>83</sup> CEDAW/C/SYC/CO/6, para. 10 (a). See also CRPD/C/SYC/CO/1, paras. 14–15.
- <sup>84</sup> CEDAW/C/SYC/CO/6, para. 12.
- <sup>85</sup> *Ibid.*, paras. 17–18. See also UNESCO submission, p. 4; UNHCR submission, p. 3; CEDAW/C/SYC/CO/1-5/Add.1, p. 2; letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2017, pp. 1–2. Available at [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SYC/INT\\_CEDAW\\_FUL\\_SYC\\_27296\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SYC/INT_CEDAW_FUL_SYC_27296_E.pdf).
- <sup>86</sup> CEDAW/C/SYC/CO/6, para. 24 (a). See also [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4022968:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4022968:NO).
- <sup>87</sup> CEDAW/C/SYC/CO/6, paras. 31 and 32 (a) and (c).
- <sup>88</sup> *Ibid.*, para. 22 (c).
- <sup>89</sup> *Ibid.*, paras. 25 and 26 (a)–(d). See also CAT/C/SYC/CO/1, para. 41; UNHCR submission, p. 3; CEDAW/C/SYC/CO/1-5/Add.1, pp. 2–3; and letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2017, p. 2.
- <sup>90</sup> UNHCR submission, p. 2.
- <sup>91</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.35, 120.37–120.43, 120.79–120.81, 120.112–120.115 and 120.148.
- <sup>92</sup> UNHCR submission, pp. 1 and 4.
- <sup>93</sup> CRC/C/SYC/CO/5-6, para. 9.
- <sup>94</sup> *Ibid.*, paras. 10 (a)–(b).
- <sup>95</sup> UNHCR submission, p. 2. See also CRC/C/SYC/CO/5-6, para. 22; CAT/C/SYC/CO/1, para. 35; and UNESCO submission, p. 4.
- <sup>96</sup> CRC/C/SYC/CO/1, para. 25 (c).
- <sup>97</sup> *Ibid.*, para. 36 (a). See also [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3336241:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3336241:NO); and [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3292611:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292611:NO).
- <sup>98</sup> CRC/C/SYC/CO/5-6, paras. 38 and 39 (a).
- <sup>99</sup> CAT/C/SYC/CO/1, paras. 12–13.
- <sup>100</sup> CRC/C/SYC/CO/5-6, para. 39 (f).
- <sup>101</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.143–120.144.
- <sup>102</sup> CRPD/C/SYC/CO/1, para. 6.
- <sup>103</sup> *Ibid.*, paras. 7 (a) and (c)–(d).
- <sup>104</sup> *Ibid.*, para. 9 (a).
- <sup>105</sup> *Ibid.*, para. 13 (b).
- <sup>106</sup> *Ibid.*, paras. 21 (a)–(b).
- <sup>107</sup> *Ibid.*, para. 25.
- <sup>108</sup> *Ibid.*, para. 34 (c).
- <sup>109</sup> *Ibid.*, paras. 50 (b)–(c).
- <sup>110</sup> For relevant recommendations, see A/HRC/32/13, paras. 120.98–120.101 and 120.127.
- <sup>111</sup> Letter from the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to the Permanent Mission of Seychelles to the United Nations Office and other international organizations in Geneva, dated 26 April 2018, p. 1. See also CMW/C/SYC/CO/1/Add.1, p. 3.
- <sup>112</sup> CAT/C/SYC/CO/1, para. 30 (b).
- <sup>113</sup> UNHCR submission, p. 1.
- <sup>114</sup> *Ibid.*
- <sup>115</sup> CAT/C/SYC/CO/1 and Corr.1, para. 28.
- <sup>116</sup> UNHCR submission, p. 6.
- <sup>117</sup> CRC/C/SYC/CO/1, para. 35 (a)–(b).
- <sup>118</sup> UNHCR submission, p. 1.
- <sup>119</sup> CRC/C/SYC/CO/5-6, paras. 20 and 21 (b).
- <sup>120</sup> UNHCR submission, p. 4.