# **GOVERNMENT OF THE REPUBLIC OF SEYCHELLES**

# **Third Cycle Universal Periodic Review**

# **Opening Statement by the Minister of Foreign Affairs and Tourism**

# **Mr. Sylvestre Radegonde**

# **10th May 2021**

**Madam Chair,**

**Distinguished Representatives of Member States and Observers,**

**Representatives of the Troika,**

**Excellencies,**

**Ladies and gentlemen,**

I am grateful for the opportunity to engage with Member states in this Third Cycle of the Universal Periodic Review. This is, without doubt, an important exercise aimed at further enhancing the protection and promotion of human rights in our respective countries. It provides a vital platform for countries to exchange best practices, share ideas and collaborate towards the full realization of human rights for all persons.

The Seychelles’ delegation comprises the Attorney General, and representatives of the Ministry of Foreign Affairs and Tourism, the Social Affairs Department, the Ministry of Internal Affairs, the Ministry of Education, the Family Affairs Department, the Employment Department, the Seychelles Prison Service, the Seychelles Media Commission, and the Seychelles National Aids Council.

Madam Chair,

As Members are aware, Seychelles is a small island nation with a population of around 98,000 inhabitants. Due to its size and relative isolation, Seychelles faces significant constraints and challenges. These challenges have worsened during the past year and a half as a result of the global Covid-19 pandemic. The national economy, primarily based on tourism, has been literally decimated and with that, all the ensuing consequences.

But the Seychellois people are resilient and resourceful. Our size also allows us to have a unique perspective on the world and it does not, in any way, suppress our capacity and determination to surmount challenges, particularly those relating to human rights with the aim of bringing our human rights ideals to standards that will continue to allow and guide our people to achieve happiness.

Last October, following transparent, free and fair elections, Seychelles saw a peaceful transition of power, from a political Party that had held uninterrupted power for 43 years to a new President who had been in the opposition for over 30 years and won the presidential election after his 7th attempt. There could not be a better example of determination and resilience!

This new Government, of which I am a proud Member, remains committed to continue fostering human rights, peace, social justice, equality, and non-discrimination among all Seychellois and inhabitants of these islands.

Madam Chair,

The ‘Seychellois Charter of Fundamental Human Rights and Freedoms' in the Constitution of Seychelles provides for the protection and promotion of human rights of all persons within the territory of Seychelles. This Charter reflects the aspirations of the Universal Declaration on Human Rights, as well as the nine core UN human rights treaties that Seychelles is a party to. The ever so important Article 27 of our Constitution provides for the equal protection of the law for all persons, including the enjoyment of their rights and freedoms. That is to say, equal protection regardless of gender, race, nationality, age, skin color, sexual orientation or political beliefs.

The Seychelles National Report outlines the improvements that Seychelles has made over the past four years. From the youngest citizens to our elders - all of their various human rights are given utmost priority by the Government.

The **children of Seychelles** are and continue to be one of the highest priorities of my government which remains committed to ensuring that their rights are fully respected, promoted and protected. Every child needs a safe, conducive and nourishing environment in order to have the opportunity to learn and reach their full potential. The ‘Children (Amendment) Act, 2020’ further ensures the protection of children through the abolition of all corporal punishment in order to ensure that no physical discipline is administered against our children at any place, which as we know, inflicts far beyond physical pain, and has tremendous associated psychological effects.

As we have highlighted in our report, the establishment and mandate of the Child Law Reform Committee came about due to the reported crimes against underage girls in our society. This new and vital structure will ensure that there will always be a platform for the voices and advocacy of children, thereby complementing the work of related institutions, such as schools, courts and child welfare administrators. The Committee is also mandated to review the existing legal framework applicable to children, and make necessary recommendations for legal reform in order to enhance the protection afforded to children and, consequently, upholding their rights. We trust in the work of this newly established Committee and look forward to sharing with you its accomplishments.

Madam Chair,

On the matter of **gender equality**, my Government remains firm in the view that there will always be a need to empower women and young girls. By doing this we will consequently empower our societies. We need to continue to ensure that there is equal opportunity for both men and women in our society. The education system of Seychelles is one which does not entertain any discrimination between boys and girls. While there may be remnants of gender stereotypes, we ensure that this does not extend as a structural barrier, at any level, within the educational system.

It is worth noting that over the past five years, there has been clear evidence showing that girls have been enrolling in education and training programmes traditionally dominated by males, hence addressing the under-representation of females in male-dominated careers.

During our last review, Seychelles Government announced that it was in the process of developing specific legislation pertaining to **domestic violence**. I am pleased to announce that this is now a reality as from last year. We hope to see the positive results which this law seeks to bring about in regards to the criminalization of domestic violence and the protection of victims, which also covers acts that amount to domestic violence such as physical, verbal or psychological, and economic abuse. The Act additionally caters for the services available to help victims, and ensure training of those service providers.

We remain mindful that change in regards to domestic violence still requires a shift in society’s attitude as a whole. The Social Affairs and Family Affairs departments, as well as other branches of the Government continue to assist through advocacy and empowerment programmes, as we recognize the need to have all sectors of the country involved in these efforts.

Additionally, the draft National Gender Action Plan 2019-2023 has been formulated and is currently under review for approval.

Madam Chair,

**Education** remains an important national priority for my Government. We are determined to guarantee that our children and youth receive the best possible start in life. Our education system is geared towards ensuring that the young are provided with skills required to reach their highest potential and contribute to the important development of our country in their various capacities.

The Government remains committed in its efforts to decrease school drop- outs and will continue to make resources available towards this goal. We further acknowledge the need to continue providing vocational trainings for both boys and girls at the highest possible rate. The Government continues to create incentives to enhance our human resources and ensure that students are receiving the best education. As part of this goal, the University of Seychelles is now offering a new Masters programme in Teaching for returning graduates who are facing challenges in securing employment in their respective fields of study. We anticipate that this initiative will also contribute to addressing our dependency on foreign-recruited teaching staff.

Madam Chair,

In line with the rights of children in the country, laws exist to restrict the employment of children under 18 years which, by its nature or the circumstances in which it is carried out, is likely to affect their health, safety or morals. Additionally, students who are on training schemes are protected by law so as not to have them on training during compromising hours or at places such as gaming houses and casinos. Any reported claims of children who are forced into labour or victims of child trafficking are referred to relevant authorities for investigation and necessary follow up remedial action.

With regards to **the trafficking of persons** relating to employment purposes, the National Labour Migration Policy 2019 provides for presumed victims of trafficking to change employment, and this is strictly supervised by the Employment Department. The law enforcement officers of the Employment Department have received training on Human Trafficking and Child Exploitation and other related topics through assistance and cooperation with other countries as well as the International Labour Organization. Furthermore, regular and unannounced labour inspections are conducted in all sectors, including the sectors where migrant workers are concentrated, in particular, the fishing, tourism and construction industries.

We are pleased to note that through the use of our Standard Operating Procedures, the inspectors of the Employment Department are currently empowered to refer possible victims of Trafficking in Persons to the Police for investigation. This is carried out in line with the work of our Trafficking in Persons Committee. The Labour Inspection checklist currently in use has been amended in 2020 to include questions that better target the identification of trafficking in persons victims.

Madam Chair,

Seychelles will always grant the **media** the greatest possible importance. The Government recognizes that true democracy can only prevail when there is dynamic participation of an active and vigilant media within our society. As we have evidenced in our National Report, the media plays a very crucial role in the country, from reporting on important and consequential events within our society, to bringing the public closer to judicial proceedings with the aim of promoting accessibility to the justice system.

We are fully conscious that access to information is a determining factor for democracy and that it is only with the utmost level of independence that the media can truly continue to hold the Government accountable. The ‘Seychelles Media Commission Act, 2010’ provides that the Seychelles Media Commission be independent of any direction or control of any person or authority in the performance of its functions. Whilst the Commission receives its budget from the Seychelles Government, we emphasize that there is clear separation from the control of the same. This is reflected in the manner in which the Chairperson and Chief Executive Officer are appointed, as highlighted in our report.

It is pleasing to note that during the assessed period the number of media outlets has increased in number made up currently of about 15 media houses for television, radio broadcasting and newspapers.

Looking forward, the Seychelles Media Commission intends to review all domestic legislations that govern media in the Seychelles. This exercise will seek to identify gaps and possibility for new laws and to help protect the work of media practitioners in the country. In order to ensure that this is a success, all local stakeholders with an interest in media laws will be invited to participate in these discussions.

In line with the ‘right to access to official information’ enshrined in the Article 28 of the Constitution, the ‘Access to Information Act, 2018’ which is already in force, has made provision for fostering good governance through enhancing transparency, accountability, integrity in the public service and administration, participation of persons in public affairs, including exposing corruption. The Act also provided for the establishment and functioning of the ‘Information Commission’ which is a neutral and independent body.

I must highlight the importance that official government press conferences have brought about in the last few years. These regular press conferences are held by the President of the Republic on a quarterly basis, as well as by other Government entities such as the Central Bank, the Ministries of Health, Finance, Education, amongst others. These go a long way in keeping the public informed on current issues of national importance and public interest.

Madam Chair,

Seychelles recognises the need to adopt and implement a comprehensive policy on **disability**, through active consultation with relevant organizations and persons with disabilities, with a view of shifting the attitudes and traditional views on the issue. Seychelles is committed to continue building a culture that upholds and accepts the principles of diversity with the involvement of all persons with disabilities in society.

We equally recognise the importance of ensuring that persons with disabilities are valued within all sectors of society including the work place. As such, our Employment Act 1995 prevents an employer from making an employment decision against a worker based on the worker’s disability, and consequently imposes a fine of up to SCR40000. Whilst no specific awareness-raising action on that subject has been taken by the Employment Department during the reporting period, we know the importance of this exercise and aim to work positively on it.

It is also worth noting that there is currently ongoing discussion on the repeal of the National Disabled Persons Act (1994) with a view to legislate a new one that will meet the contemporary needs of disabled persons as well as aligning it with the Convention on the Rights of Persons with Disabilities. A new Division is also being created under the Family Affairs Department to cater to this special group.

Madam Chair,

Another sector that is of great importance for Seychelles, now more so during this pandemic, is the **health sector**. Under its core leadership and mandate, the Ministry of Health ensures that strategic policy frameworks exist, as well as transparency, accountability and effective collaboration between the different actors in the health system. The Government invests considerable resources in health and the health sector employs an adequate number of qualified health professionals. Consequently, the population has excellent access to health care services; most live within easy reach of a health facility and can receive comprehensive services free at the point of delivery. In 2019, the Ministry of Health implemented a number of regulatory measures to control sugar content in food products; limitations on the advertising and sale of alcohol and cigarettes; and to promote healthier lifestyles.

In 2020, most of the indicators showed promising results with regards to HIV/AIDS in the country. A total of 21,689 HIV tests were carried out in 2020 as there was an increase in community outreach screening tests. There were 84 new HIV cases compared to 109 in 2019, 14 new AIDS cases compared with 18 in 2019, and AIDS mortality decreased from 16 in 2019 to 10 in 2020..

As is the case for most countries, Seychelles has not been spared from the impacts of the Covid-19 pandemic on its health system.

From the beginning of its mandate, the new government set as one of its priorities the vaccination of its population and the reopening of its borders to relaunch its tourism industry and the economy.

In January this year, thanks to the generous donation of vaccines from friendly countries, Seychelles launched an aggressive vaccination campaign in the population. The vaccines were also offered, free of charge, to expatriates and non-Seychellois workers in the country. It was also extended to all non-Seychellois mariners on the foreign fishing vessels in our waters and using our port.

I wish to share with you, vaccination data as of today:

Vaccination of targeted population (70,000)

Dose 1: 98%

Dose 2: 86%

Vaccination of total population (98,462)

Dose 1: 70%

Dose 2:

Madam Chair, this is no easy feat and we are very proud of our achievement!

Madam Chair,

Seychelles’ **penitentiary system** has made noteworthy improvements, proof of the country's respect for human rights and dignity for all. Our report highlights the prison refurbishments that have taken place over the past four years with the aim of improving the living conditions and wellbeing of the prisoners. We maintain that the goal of the prison system must be to return prisoners to society as rehabilitated people who are less likely to commit crimes. This is facilitated through the ‘Project Phoenix’, amongst other mechanisms such as educational and counseling programmes, and we look forward in sharing with you the positive results of these mechanisms in our future reviews.

With regards to the structure, I wish to highlight that whilst male and female prisoners are kept on the same campus at the Montagne Posée Prison, male prisoners are housed in separate residential blocks from female prisoners. Additionally, high risk and low risk prisoners are kept separate from each other. Juveniles on the other hand, are housed in a separate unit behind the administration block and with the authorization of their parents, can participate in on-campus work programs should they wish to.

The Montagne Posée Prison has a fully functional medical facility. Currently, there is one doctor, three nurses and one assistant, thereby ensuring the access to health care of all prisoners. Moreover, prisoners who require further medical assistance not available at the prison, such as dental health checks, are given special referral for care outside the prison.

I would also like to note here, that there is an increase in the role of women at senior level within the prison services where 5 out of 8 of the senior positions are occupied by women, and 3 out of 6 inspectors are women.

Madam Chair,

In order to ensure that Seychelles' **human rights treaty obligations**, including its reporting commitments, are implemented effectively, the Government is looking towards the future for the re-establishment of a 'Seychelles Treaty Reporting Committee’ which was previously established in 2012. The intention of this coordinative Committee is to ensure the dissemination of treaties and treaty body recommendations, their implementation, as well as to promote conformity of national laws with accepted human rights standards. The Committee will be composed of Governmental and non-Governmental representatives, and primarily tasked to assist in the preparation of treaty reports. The mandate of the Committee is currently being re-evaluated to widen and accommodate all treaty reporting obligations of Seychelles in addition to human rights related ones.

Currently, the Foreign Affairs Department has completed significant work on an all-encompassing treaty database which is to be presented to the Cabinet of Ministers with the aim of ensuring that all relevant implementing bodies are aware of their treaty reporting obligations, and ensuring that information is compiled in a manner that is readily accessible and up to date. The Foreign Affairs Department, in its advisory role, continues to intensively engage with all relevant departments and agencies to fulfill Seychelles’ reporting duties. We hope to see an increase in the efforts of these respective institutions and look forward to conveying the result to the Council in our future reviews.

I am pleased to note that since our last review, Seychelles has submitted its initial *State Party Reports under the ‘Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*’ and *the ‘Convention on the Elimination of all Forms of Discrimination against Women’* which had been overdue since 1993.

In addition to these, we aim to submit this year our overdue reports under *the ‘Convention on the Elimination of all Forms of Racial Discrimination’*, *the ‘Convention for the Protection of All Persons from Enforced Disappearances’*, and *the Optional Protocols to the CRC on the ‘Involvement of Children in Armed Conflicts’* and that on *‘Sale of Children, Prostitution and Pornography’*. We are pleased to inform that we have also recently submitted our report under the ‘African Charter on the Rights and Welfare of the Child’, the ‘Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa’ and the report for the AU ‘Convention on Preventing and Combating Corruption’.

Madam Chair,

One of Seychelles’ main achievements since the last review is the setting up of the Seychelles Human Rights Commission. The Commission has already begun its effective work through coordination with relevant government and non-governmental bodies in the country and its important monitoring position. We are cognizant of the role that an independent and effective National Human Rights Institution has to play in all societies and the work of the Commission will no doubt contribute in preventing and addressing potential human rights violations by the Government. This will further complement our Government’s own efforts to improve the rights of all persons.

Seychelles looks forward to having a National Human Rights Institution which is fully Paris Principles compliant, and being 'A' accredited to the ‘International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights’. Necessary resources will be provided for the realization of the Commission’s mandate and we welcome the positive impact of this important institution.

Madam Chair,

Finally, and very importantly, I wish to address the strides that we have made on **the environmental front.** Whenever Seychelles is given the opportunity to call upon the world for adjustments associated with climate change and global warming - it does so. Today is no exception. My country, along with other small island states, is exposed to the direst effects of climate change. We are confident that the UN Human Rights Council will continue to serve as a valuable platform to urgently address this critical issue.

In our report, we have highlighted the efforts and advancements made in Seychelles for the protection of the environment. In 2019, we reviewed the Environment Protection (Ozone) Regulations of 2010 to include the provisions of the Kigali Amendment to the Montreal Protocol. The Government has also worked on numerous noteworthy pieces of legislations such as those banning or imposing increased taxes on products that have less favorable impacts on the environment.

We continue to emphasize and sensitize the public on the importance of using and/or importing equipment with natural refrigerants as opposed to equipment containing ozone depleting substances. The Ozone Unit at the Environment Department also develops educational material to sensitize the population on the importance of the Ozone layer and how we can work together to protect it, with the ultimate aim of gradually phasing down the use of Hydro Fluro Carbons in Seychelles.

Madam Chair,

The roles of our NGOs must also be warmly applauded by my Government. Over the past years they have led many activities and campaigns towards positive environmental reforms.

As our report highlights, Seychelles is promoting a more ambitious climate action plan and is expected to be presented, at the highest level, at the COP26 in Glasgow next November. We remain cognizant that global efforts to urgently deliver more ambitious climate action need the support of committed partners, consistent with the Paris Agreement goals.

The link between the environment, climate change and human rights is clear and unquestionable. Small Island Developing States remain particularly vulnerable, and my Government remains resolute in its efforts to bring awareness to the plight of climate change on our planet and our precious islands.

Madam Chair,

As a country, we are incredibly proud of the significant strides that Seychelles has made, over the recent past, in its objective towards the full realization of human rights for all persons. We are fully conscious that all is not yet perfect, that we still have some work to do. I want to assure you and Members that we remain committed to progress and improvement. For this reason, we proudly embrace the UPR Mechanism and welcome the honest and constructive discussions with fellow Member States.

I would like to conclude this statement by extending our gratitude towards the UPR Secretariat, for the invaluable support provided to my delegation in this important review.

I am, as ever, grateful to the States who are participating in this exercise today. We thank those of you who have provided advanced questions and look forward to the upcoming interventions. We look forward to hearing your views, comments, suggestions and recommendations. We hope to learn and improve on our general human rights standing. This is the ultimate aim of this important exercise.

I thank you and look forward to our discussion.