# **Statement by the Minister of Foreign Affairs**

Response to Advanced Questions received

Thank you Madam Chair.

I thank those member states who have provided advance questions to Seychelles and which I now wish to address;

With regards to the **question from our fellow member state Liechtenstein** regarding the steps that Seychelles has taken to ratify international instruments pertaining to the International Criminal Court, I am pleased to inform that the Government of Seychelles is currently undertaking the necessary steps to ratify the Rome Statute in its 2010 version, along with the Kampala Amendments to the Rome Statute on the crime of aggression, and the Agreement on the Privileges and Immunities of the Court.

**I now turn to the advance questions received from the United States of America,** **the** **United Kingdom of Great Britain and Northern Ireland and Canada** with regards to steps taken to eliminate discrimination based on sexual orientation and gender identity.

Madam Chair, Seychelles is proud of its diversity and the unification of its citizens regardless of this diversity. Our very Constitution affirms that all our people shall be free from all types of discrimination, and our laws which are built upon the Constitution are therefore aligned to this important precept and condemn any form of hate crime. This inherent right is extended to all regardless of sexual orientation, gender identity or other aspects.

We recognise that there will from time to time, be a need to re-examine laws and bring them up to par with current social constructs and international standards whilst keeping with the fundamentals of our Constitution. Madam Chair, we do note that reported hate crimes towards the LGBTI community in Seychelles are mostly expressed through verbal harassment and that there requires a shift in the attitude of the public towards this group in our society. From time to time, sensitization and training programmes are organized for health workers and media practitioners on LGBTI issues so as to better address this matter. It is also important to note here that last month the Cabinet of Ministers gave its approval for the design of a policy, and the drafting of a Bill, for the creation of a Law Reform Commission. We foresee that matters of concern regarding sexual orientation and gender identity will be duly included in this Commission’s work, including the question of same-sex marriages.

Our National laws also caters for redress of any aggrieved citizens through appropriate established legal mechanisms such as Section 46A of the Employment Act 1995 which already prevents an employer from making an employment decision against a worker based on the worker’s sexual orientation. The penalty for this offence is a fine of up to SCR 40000. The Employment Department further intends to propose the introduction of the grievance procedure for cases of discrimination as a whole.

The Government remains open to constructive dialogues on how it can improve the lives of its citizens, particularly on the basis of sexual orientation or gender identity.

**Turning now towards the question received the from the United States of America** with regards to the expansion of political freedoms and the possibility of citizens living abroad to vote. The current mechanism entails that citizens living abroad are in fact free to vote as long as they are registered as voters and that they report to their respective polling stations on voting day. With regards to voting from abroad which would require e-voting, I should note that the matter is at discussion stage and still requires national collaboration from all relevant stakeholders and the general public as we foresee that this may only be attained through decision of the people by way of a referendum.

Additionally, on the rights of all persons with disabilities to participate in political and electoral matters, a **question raised by the Republic of Panama,** I wish to affirm that there is no discrimination on the basis of disabilities for participation in political and electoral matters in Seychelles. Access and assistance are available during elections to ensure that all citizens legible to vote can do so. I am also proud to note that with the new Parliament which was formed in October 2020, we have seen the appointment of a remarkable young politician with disabilities to our National Assembly, one of the highest institutions of the country. Similarly, we have had young persons with disabilities commending the attention of our legislators and the country as a whole through remarks delivered at the parliament in relation to the challenges that they face as a vulnerable group.

**Madam chair, I thank the Republic of Germany and Canada for the advance questions** relating to Domestic violence and child protection.

Seychelles acknowledges that there has not been a total eradication on offences pertaining to domestic violence against women and girls since the enacting of the two key legislations, namely the Domestic Violence Act and the Children Amendment Act. However, our law enforcement authorities, service providers and the judiciary remain determined and committed to tackle this important issue. It is worth noting that there is a new Sexual Offences Bill that is about 90% complete that will introduce new mechanisms to tackle sexual offences such as rape.

**I now thank the Republic of** **Portugal** on behalf of the ‘Group of Friends on National Mechanisms for Implementation, Reporting and Follow up’ for its question relating to national mechanisms for implementation of recommendations.

At present, there are no formal national mechanism for the coordination and implementation of UPR recommendations in Seychelles. Each National Institution has the inherent responsibility, with the guidance of the Foreign Affairs Department, of addressing the implementation of recommendations issued to the State which fall within their mandate. As was highlighted in our opening statement, the Government seeks to re-establish a 'Seychelles Treaty Reporting Committee’ with the role of this coordinative Committee to be the dissemination of treaties and treaty body recommendations, monitoring of their implementation and drafting of treaty reports. We hope to share our achievements and best practices on this important matter in the near future.

**I would now like to turn to the important issues of human trafficking and that of the rights of migrant workers on which my country has received questions from the United Kingdom, the United States, Spain, Germany and Canada**

Madam chair, the Seychelles continues to put great effort in the fight against the crime of human trafficking. With the new re-structuring of the National Coordinating Committee on Trafficking in Persons we aim to increase the efficiency of the committee and continue our active coordination in addressing cases and suspected cases of trafficking. This Committee is equally tasked with coming up with national responses and the important strategies that will directly prevent and combat trafficking.

The country has now set up a hotline whereby members of the public can report on possible cases allowing the police to take the lead according to the established procedures. In addition to this, the Employment Department refers suspected cases of trafficking of migrant workers to the authorities for investigation. The Government of Seychelles recognizes that the rights of migrant workers are most likely to be infringed in sectors such as construction and fisheries where their presence is most prominent. The Employment Department’s law enforcement officers have received training on Human Trafficking and Child Exploitation as well as other related topics and have participated in awareness-raising programs. Labour inspections also continue to play an important role in ensuring that the conditions of living and working in Seychelles for these workers are at respectable and acceptable human rights standards.

The crime of trafficking requires the attention of everyone and we are grateful for the role of civil societies in bringing awareness and providing assistance to victims and potential victims of trafficking whenever they are called upon.

Madam chair, I would now like to thank the **United Kingdom of Great Britain and Northern Ireland and the Republic of Panama** for their advance questions relating to our efforts in ratifying the Optional Protocol to the Convention against Torture. We are pleased to inform that this instrument is under the active consideration of the Ministry of Internal affairs, following which we will seek the approval of the Cabinet of Ministers and the Seychelles National Assembly for its ratification.

We note that Seychelles’ efforts towards the ratification of the Treaty on the Prohibition of Nuclear Weapons, we are pleased to note that the Treaty was most recently presented to the International Affairs Committee of the National Assembly and will soon be presented for consideration of approval of ratification by Seychelles. Additionally, the Seychelles Humanitarian Affairs Committee is currently undergoing the process of restructuring in order to better assess and cater for the promotion and dissemination of information regarding International Humanitarian Law nationally and also be able to represent Seychelles internationally. To note, the Foreign Affairs Department has been in liaison with the International Committee of the Red Cross and was last month represented by a representative of the Foreign Affairs in the Commonwealth National Committees on International Humanitarian Law Meeting and the 38th Annual Seminar on International Humanitarian Law for diplomats accredited to the United Nations.

On the question relating to equal access to employment for persons with disabilities from the **Kingdom of Spain,** I wish to reiterate that the Seychelles Employment Act stipulates that all persons in Seychelles have equal opportunity and access to employment and therefore there should be no discrimination on that aspect.

Madam Chair, I now again turn to the **Kingdom of Spain** for their advance question on the repeal of sections 147-149 of the Penal code and wish to state the following; the practice of abortion in Seychelles is currently regulated and based on specific medical criteria that are deemed necessary. This is done under the authorisation of the Ministry of Health where a medical board assesses the circumstance under which requests for abortions are made. In unfortunate cases involving rape or life threatening conditions, the requests are approved. I would like to also refer back to the eventual creation of a Law Reform Commission under which this matter may be addressed.

Finally, in relation to the **question raised by the United Kingdom** on rehabilitation services in prisons, I am pleased to note that Project Phoenix continues to be a success whereby prisoners are given the opportunity to undertake work. Over 50% of our inmates are actively engaged in this programme with the participation and collaboration of different companies. Opportunities also exist for inmates who are interested to pursue their studies while incarcerated. Civil societies and faith-based organizations are also important partners to the prisons in the rehabilitation and re-integration of inmates in our society.

I thank you Madam Chair.