



International Covenant on Civil and Political Rights

Distr.: General
27 May 2021

Original: English
English, French and Spanish only

Human Rights Committee

List of issues prior to submission of the initial report of Seychelles*

A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please report on any significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations.¹ Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations.

2. Please indicate the procedures in place for the implementation of the Committee's Views under the Optional Protocol. Please also describe the measures taken to raise awareness about the Optional Protocol, in particular among those who believe that their human rights under the Covenant may have been violated.

B. Specific information on the implementation of articles 1 to 27 of the Covenant

Constitutional and legal framework within which the Covenant is implemented (art. 2)

3. Please provide information on the current status of the Seychelles Human Rights Treaty Committee, which was established in 2012 to coordinate the State party's reporting obligations under international human rights treaties.

4. Please indicate the measures taken to ensure that the provisions of the Covenant are fully incorporated into the domestic legal system and may be invoked before and applied by the national courts. Please provide examples of cases in which the Covenant has been invoked or applied by national courts. Please state all measures taken to raise awareness of the Covenant among judges, prosecutors, lawyers and the general public.

5. With reference to the previous concluding observations (para. 6),² please provide information on the measures taken to ensure that the National Human Rights Commission of Seychelles functions in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). In particular, please report on: (a) the provision of financial and human resources necessary for the Commission's effective functioning; and (b) steps taken to guarantee its independence and impartiality.

* Adopted by the Committee at its 131st session (1–26 March 2021).

¹ CCPR/C/SYC/CO/1.

² Unless otherwise indicated, paragraph numbers in parentheses refer to CCPR/C/SYC/CO/1.



Anti-corruption measures (arts. 2 and 25)

6. Please report on the measures taken to effectively prevent and combat corruption, particularly corruption relating to land transactions and the misappropriation of government funds, and on the impact of these measures. Please include statistical information on the number of investigations and prosecutions of corruption cases for the reporting period and, in particular, information about cases involving high-level public officials. Please describe the mandates of the State party's anti-corruption bodies, including the Anti-Corruption Commission, and report on measures taken to ensure their independence and efficacy.

Non-discrimination (arts. 2, 3, 23 and 25–26)

7. With reference to the previous concluding observations (para. 8), please provide updated information on the measures taken to ensure that the State party's anti-discrimination legal framework provides: (a) full and effective protection against direct, indirect and multiple discrimination in all spheres, including in the private sphere, and on all the grounds prohibited under the Covenant; and (b) effective remedies in judicial and administrative proceedings for victims of discrimination. In particular, please indicate all measures adopted to combat acts of discrimination, stigmatization and violence against persons with disabilities, particularly women and children with disabilities, and lesbian, gay, bisexual, transgender and intersex persons. Please include statistics on complaints of discrimination received during the reporting period, along with an indication of the basis of discrimination, the nature of the investigations conducted and their outcome, and any redress provided to victims.

Violence against women and domestic violence (arts. 2–3, 6–7 and 26)

8. Bearing in mind the previous concluding observations (para. 13), and in light of the adoption in 2020 of the Domestic Violence Act, please provide statistical information on the number of domestic violence complaints received and on investigations, prosecutions and redress provided to victims and respond to reports that sexual harassment remains common and is rarely punished. Please also include information on the training provided to judges, prosecutors, police officers and other officials who come into contact with victims of violence against women, including domestic violence. In light of the increased number of cases of domestic violence during the coronavirus disease (COVID-19) pandemic, please report on any special protection measures and social services made available to victims of domestic violence and indicate whether shelters have been accessible to the victims during the pandemic.

COVID-19 pandemic (art. 6)

9. Please describe any restrictions on the exercise of rights protected under the Covenant that have been put in place in connection with the COVID-19 pandemic, their legal basis and their compatibility with the Covenant.

Right to life (art. 6)

10. Please provide information on the measures taken to prevent and mitigate the negative effects of climate change and environmental degradation, such as the bleaching and depleted nourishment of coral and the erosion of the coastline, including on the right to life both for individuals employed in industries such as fishing and tourism and for all other citizens of the State party. Please report on the steps taken to: (a) develop and fully implement environmental regulation frameworks, including the Environment Protection Act; (b) conduct environmental impact assessments; and (c) provide appropriate access to information on environmental hazards.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7)

11. Please describe the legislative framework that exists to prevent and combat torture and the excessive use of force, including the definitions of those crimes and the penalties stipulated in criminal legislation, and describe the framework's compatibility with the Covenant. Please provide statistical information on the number of complaints received

concerning torture or ill-treatment and the excessive use of force, as well as on investigations, prosecutions and redress provided to victims. Please report on efforts made to provide adequate human rights training, including on the prevention and prohibition of torture or ill-treatment and the excessive use of force, to police officers and prison guards.

Liberty and security of person (art. 9)

12. With reference to the previous concluding observations (para. 16), please provide information on all measures in place to ensure the full respect of fundamental procedural safeguards for detained persons, including their rights to have prompt access to a lawyer, to have access to a medical assessment and to be brought before a judge within a prompt and prescribed time frame. Please report on the steps taken to: (a) reduce the use and duration of pretrial detention and provide information on the number of detainees in pretrial detention during each of the past five years; (b) increase the use of non-custodial alternative measures to pretrial detention, including statistics on their application in practice during the past five years; and (c) hold remand detainees separate from convicted persons.

Treatment of persons deprived of liberty (art. 10)

13. Please provide information on the progress achieved in: (a) decreasing the overall incarceration rate; (b) reducing overcrowding and improving the material conditions of prisons; and (c) ensuring adequate access to health and medical services for detainees. Please report on the existence and operation of an independent monitoring body mandated to regularly monitor and inspect all places of detention and to receive complaints.

14. Bearing in mind the previous concluding observations (para. 17), please provide information on progress made to ensure that: (a) children are kept separate from adults in detention; (b) children in conflict with the law are treated in a way that promotes their integration into society; and (c) children are detained only as a measure of last resort and for the shortest possible time. Furthermore, please provide data on the number of children deprived of liberty, specifying how many of them have been convicted and are serving their sentences and how many of them are in preventive detention.

Elimination of slavery, servitude and trafficking in persons (arts. 2, 7–8 and 26)

15. Please report on the measures taken to prevent and combat trafficking in persons, including for the purposes of sexual exploitation and labour exploitation, and include information on the investigation, prosecution and conviction of perpetrators and on the provision of protection, including through shelters, and redress to victims. In particular, please report on the steps taken to: (a) address child labour, including the commercial sexual exploitation of children; (b) amend the 2014 anti-trafficking law with a view to strengthening protection measures for victims; (c) provide training for law enforcement, judicial and migration officials, particularly on the identification and referral of victims of trafficking; and (d) address labour exploitation, including forced labour, of migrant workers, especially in the Seychelles International Trade Zone and in the fishing, agriculture and construction sectors. Please comment on reports claiming that the seizure of migrant workers' passports by employers is not illegal in Seychelles.

Access to justice, independence of the judiciary and fair trials (arts. 2 and 14)

16. With reference to the previous concluding observations (para. 18), please report on the steps taken to ensure the independence of the judiciary, especially from the executive and from political influence, and describe the current procedures and criteria for the selection, appointment, suspension and removal of judges. Please report on the specific measures in place to ensure the independence and impartiality of non-national judges whose contracts are not renewable or controlled by the Government and to strengthen the capacity of judges who are nationals of Seychelles. Please indicate the progress made in: (a) effectively addressing the backlog in courts; and (b) ensuring access to free legal aid and include information on the number and type of cases in which free legal aid has been sought, granted and denied.

Right to privacy (art. 17)

17. Please report on the legislative and other measures taken to ensure adequate safeguards against arbitrary interference with the privacy of individuals, including with regard to the protection of personal data. In particular, please provide information on the status of the Data Protection Act and its compatibility with the Covenant.

Right to freedom of religion (art. 18)

18. Please provide information on all measures taken to guarantee the right to freedom of thought, conscience and religion, and discuss the State party's relevant legal framework and its compatibility with the Covenant. Please respond to reports that: (a) certain religious groups are not granted radio broadcast time by the Government; and (b) students in Catholic public schools have no access to alternative activities during religious classes.

Freedom of expression (arts. 19–20)

19. With reference to the previous concluding observations (para. 19), please provide information on the measures taken to bring the State party's legal and regulatory frameworks governing the right to freedom of expression into line with the Covenant. Please respond to allegations that: (a) the State party's Media Commission, established under the Seychelles Media Commission Act 2010, is not independent and impartial; (b) media outlets are not entirely independent and are often politically biased; (c) media coverage of sensitive topics is often self-censored or combined with high costs for access to important documents; and (d) critics of the Government have been subjected to threats, attacks, detention and reprisals. Please report on the progress made to ensure that the State party's defamation law does not have chilling effects on the exercise of the right to freedom of expression. Please include information on any defamation suits brought by the Government and public officials against journalists and media outlets during the past eight years.

Right of peaceful assembly (art. 21)

20. Please provide information on the measures taken to ensure that the State party's domestic legislation governing the right of peaceful assembly, such as the Public Assembly Act of 2015, are fully in line with article 21 of the Covenant.

Rights of the child (arts. 7, 9–10, 14, 23–24 and 26)

21. With reference to the previous concluding observations (para. 15), please indicate the steps taken to raise the minimum age of marriage for girls in the State party's domestic legislation. Please also provide information on the measures taken to: (a) prevent and combat child abuse, including child sexual abuse; (b) prohibit, in practice, corporal punishment of children; and (c) raise the minimum age of criminal responsibility.

Participation in public affairs (arts. 25–26)

22. Please report on the legislative and other measures taken to ensure the holding of free, fair and transparent elections and include information on the role of the Electoral Commission of Seychelles in this respect. Please include information on the efforts made to guarantee the independence and impartiality of the Electoral Commission. Please indicate the steps taken to: (a) ensure the accuracy of the voter register; (b) prevent and combat vote buying; and (c) ensure the right to vote for all, especially persons with disabilities and citizens living abroad. Please describe the current campaign finance regulations and any oversight mechanisms in this respect.
