



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Seychelles and welcome the constructive engagement of the Government of Seychelles during the 38th session of the UPR Working Group in May 2021.

As the final outcome report on the review of Seychelles was recently adopted by the Human Rights Council at its 48th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Seychelles – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 83 delegations and the presentation made and responses provided by the delegation of Seychelles. I have also considered the actions taken by the Government of Seychelles to implement the 142 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I am encouraged by the commitment of Seychelles to strengthen its national human rights protection framework by taking measures to ensure that the Seychelles Human Rights Commission is fully compliant with the principles relating to the status of national institutions for the promotion of human rights (Paris Principles). My Office is ready to continue providing technical assistance to support Seychelles' efforts in this regard.

I encourage Seychelles to develop a comprehensive plan to implement recommendations from all human rights mechanisms, including the UPR, in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement similar plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Sylvestre RADEGONDE
Minister of Foreign Affairs and Tourism
Republic of Seychelles



I also encourage Seychelles to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Seychelles of submitting a mid-term report and encourage the Government of Seychelles to continue with this practice and to submit a mid-term report on follow-up to the third cycle of the review by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Seychelles in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet
High Commissioner for Human Rights

cc: Ms. Christine UMUTONI
United Nations Resident Coordinator
United Nations Multi-Country Office for Mauritius and Seychelles
Republic of Mauritius

Ms. Abigail NOKO
Regional Representative of the United Nations Office of the High Commissioner for
Human Rights
OHCHR Regional Office for Southern Africa
South Africa



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the human rights instruments to which Seychelles is not yet a party, including 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, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the Convention against Discrimination in Education.

National human rights framework

- Further strengthening the national normative framework by bringing all national legislation in line with its international human rights obligations, in accordance with the recommendations formulated by international human rights mechanisms.
- Strengthening the institutional framework for the promotion and protection of human rights in Seychelles, including by ensuring that the Seychelles' Human Rights Commission is in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and by providing it with adequate human, technical and financial resources.
- Establishing a national permanent mechanism, open to the participation of civil society, for reporting and follow up to the recommendations formulated by international human rights mechanisms.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Adopting additional measures, including legislative measures, to ensure adequate protection against any form of discrimination, in particular discrimination and acts of violence against LGBTI persons.

Development, the environment, and business and human rights

- Continuing efforts to ensure the inclusion of a disability rights perspective in the Disaster Risk Management Act and that requirements of persons with disabilities are included in the design and implementation of all disaster risk reduction and climate change adaptation plans, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030.
- Strengthening regulations to ensure that the business sector, in particular the tourism, fishing and farming industries, complies with international and national human rights, labour and environmental standards, in particular with regards to children's rights.

B. Civil and political rights

Right to life, liberty and security of person

- Introducing a specific crime of torture with a definition that includes all the elements set out in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Continuing efforts to improve conditions of detention, including by reducing prison overcrowding and ensuring the separation of convicted prisoners from those detained on remand.

Administration of justice, including impunity, and the rule of law

- Continuing with its efforts to reform the judiciary, ensuring its independence and increasing access to justice for vulnerable groups.
- Strengthening measures against acts of corruption, including the investigative capacity of the Anti-Corruption Commission.

Fundamental freedoms

- Enhancing measures aimed to guarantee the full enjoyment of freedom of expression and information in accordance with international human rights standards, including by strengthening the Seychelles Media Commission and ensuring its independence.

Prohibition of all forms of slavery

- Strengthening efforts to combat trafficking in persons, especially for purposes of sexual exploitation, by ensuring the implementation of the Prohibition of Trafficking in Persons Act; adopting a national action plan to address trafficking in persons; promptly investigating and prosecuting cases of trafficking in persons; and ensuring that all victims receive adequate assistance and support.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Further promoting women's access to employment, by tackling women occupational segregation, closing the gender pay gap and establishing in the legislation the principle of equal remuneration for work of equal value.

Right to health

- Strengthening measures to guarantee access to sexual and reproductive health, including by adopting a national policy on sexual and reproductive health and ensuring access to comprehensive sexual education.
- Improving the accessibility of quality health-care services for persons with disabilities.

Right to education

- Continuing efforts to ensure access to education for all, by decreasing the dropout rates, reducing the number of out-of-school children and taking further measures to implement an inclusive education policy towards persons with disabilities.



D. Rights of specific persons or groups

Women

- Further strengthening the legislative and policy framework on gender equality, including by adopting a comprehensive definition of discrimination against women in the Constitution; introducing measures to further increase the number of women representatives in decision-making positions; and continuing implementing the National Gender Policy and the national gender plan of action for the period 2019–2023.
- Continuing its efforts to combat all forms of violence against women, including by ensuring the full enforcement of legislation to address such violence; adopting a new adequately funded national action plan on gender-based violence; and providing adequate support to victims and survivors.

Children

- Intensifying measures to protect children from sexual abuse and economic exploitation, including child labour; investigating all cases, ensuring that perpetrators are brought to justice; and providing victims with adequate support.
- Raising the age of criminal responsibility in line with internationally standards.

Persons with disabilities

- Reviewing all legislation and policies in order to harmonize them with the Convention on the Rights of Persons with Disabilities and allocating sufficient resources for the implementation of the National Policy on Disability and the national plan of action on disability.

Migrants, refugees, asylum seekers and internally displaced persons

- Enacting asylum legislation and establishing a functioning national asylum system that provides for fair and efficient refugee status determination procedures, in line with international standards.