



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Item 4 of the provisional agenda

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the sixth periodic report of Seychelles*

Definition of discrimination against women

1. It is indicated in the State party's report ([CEDAW/C/SYC/6](#))¹ that changes in relation to the definition of discrimination against women were made in relevant legislation rather than in the Constitution (para. 141). In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate which laws have been amended and describe how they incorporate the principle of equality between women and men and define and prohibit all forms of discrimination against women, including direct and indirect discrimination by State and non-State actors, in the public and private spheres. Please provide information on the development of the strategy and on the repealing of provisions criminalizing same-sex relationships in the State party in the light of the State party's commitments to do so under the universal periodic review process ([A/HRC/32/13/Add.1](#), paras. 120.96 and 120.46–120.53).

Legislative and institutional framework

2. Please provide information on the measures taken to ensure that national legislation is consistent with the Convention, including information on the status of the review of legislative compliance and on updates concerning any further legal reforms to incorporate the provisions of the Convention into national law and to revise legislation that is inconsistent with the provisions of the Convention (para. 142).

* Adopted by the pre-sessional working group on 15 March 2019.

¹ Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.



Visibility of the Convention

3. Please provide information on capacity-building programmes on the Convention, the Optional Protocol thereto and the Committee's general recommendations for judges, prosecutors, law enforcement personnel and lawyers, which would enable them to directly apply the provisions of the Convention in judicial or administrative proceedings and to interpret national legislation accordingly.

Access to justice

4. The State party indicated in its presentation during its universal periodic review that significant improvements had been made with regard to case flow management, which had allowed for easier disposal of cases and reduction of delays ([A/HRC/32/13](#), para. 73). Please elaborate on the impact of those improvements with regard to cases of gender-based violence against women and girls, on the number and nature of complaints of gender-based violence brought by women before the national courts and on their outcomes. Please inform the Committee whether the State party has adopted a new strategic plan to improve access to justice and to ensure that women and girls who are victims of gender-based violence have access to justice and redress. Please provide information on the legal aid currently available in the State party.

National machinery for the advancement of women

5. Please provide updated information on the institutional authority of the Gender Secretariat and the human, technical and financial resources, including qualified staff, allocated to it for promotion of the implementation of the Convention and support for gender mainstreaming across all sectors and levels of the Government.

6. It is noted in the report that a national gender policy was launched in 2016 and that a gender plan of action is yet to be developed with the involvement of all relevant sectors (para. 147). Please provide updated information on the development of the plan of action, its key features and the time frame for its adoption.

7. The State party indicates in its report on follow-up to the concluding observations ([CEDAW/C/SYC/CO/1-5/Add.1](#), p. 2) that a plan of action, covering the period 2013–2015, for the implementation of the concluding observations was developed and that Convention focal points have been identified in key ministries to coordinate and collect information within their respective organizations. Please provide data on the specific impact and outcome of the plan of action and the identification of the focal points.

National human rights institution

8. In view of the State party's commitment in that regard during its universal periodic review, please provide a time frame for completing the process of bringing the national human rights institutions into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and allocating adequate resources to them ([A/HRC/32/13/Add.1](#), recommendations 120.62 and 120.64).

Temporary special measures

9. The report presents statistical data on the participation of women in political and public life (paras. 29–37). Please explain why no temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, are in place to accelerate progress towards the achievement of substantive equality between women and men by

increasing the representation of women in the parliament, the judiciary and the foreign service. Please indicate whether the State party plans to adopt any temporary special measures.

Discriminatory gender stereotypes and harmful practices

10. Please provide information on the policies, programmes and campaigns that address discriminatory gender stereotyping in education under the national gender policy (para. 149). Please also provide information on measures aimed at mainstreaming gender in media policies, strategies and laws (para. 150). Please specify the human, technical and financial resources allocated to ensure the implementation of the national gender policy and the establishment of its monitoring mechanisms.

Gender-based violence against women

11. It is noted in the report (para. 157) and in the report on follow-up to concluding observations ([CEDAW/C/SYC/CO/1-5/Add.1](#)) that the strategy on gender-based violence has been updated and that the domestic violence strategy for the period 2008–2012 and the costed national plan for gender-based violence for the period 2010–2015 were being reviewed. Please provide information on whether the review process has been completed and how the results of those reviews have been reflected in measures adopted by the State party to combat all forms of gender-based violence against women and girls. Please indicate the funding made available to effectively implement those strategies. In view of commitments made under the universal periodic review process ([A/HRC/32/13/Add.1](#), paras. 120.41–120.43), please report on progress made to enact legislation to prohibit all corporal punishment of minors, girls and boys, in all settings.

12. Please provide information on the status of the domestic violence bill, which was scheduled to be approved by the Cabinet in 2016 ([CEDAW/C/SYC/CO/1-5/Add.1](#), p. 3). If the law has been enacted, please elaborate on its key features and specify whether domestic violence, including marital rape, is criminalized. Please provide statistical data, disaggregated by sex, age, type of offence and relationship between perpetrator and victim, on the number of cases of domestic violence reported to the police, the number of cases brought to court and the number of prosecutions and convictions, together with the sentences imposed on perpetrators of such violence. Please report on the results of the gender-based violence/relationship survey conducted in the State party (para. 152).

13. Please report on any plans to adopt a comprehensive law on gender-based violence against women and girls that ensures that all forms of such violence, including sexual harassment, are criminalized and that provides for risk assessments and protective measures for victims, early warning mechanisms and awareness-raising. Please provide information on the training programmes for judges, prosecutors, the police and law enforcement officers on the application of legal provisions aimed at combating all forms of gender-based violence against women and girls. In addition to the psychosocial support services available in the State party (para. 158), please provide information on assistance, such as free legal aid, medical support, shelters and rehabilitation services, provided to women and girls who are victims of gender-based violence.

Trafficking and exploitation of prostitution

14. The Committee notes the existence of the Prohibition of Trafficking in Persons Act (2014), the National Coordinating Committee on Trafficking in Persons (2014), the two-year national action plan and strategic framework on trafficking in persons

(2014), the standard operating procedure manual and referral mechanism to assist victims of trafficking in persons (2015) and capacity-building sessions held for front-line officers and law enforcement officers, among others (paras. 159–163). Please provide information on the number of cases of trafficking in women and girls investigated and prosecuted in the State party, as well as on the number of convictions and the sentences imposed on perpetrators. Please provide information on the protection and support, including the issuance of temporary residence permits, afforded to women and girls who are victims of trafficking and on the measures taken to ensure their early identification and referral to appropriate social services.

15. The report provides information on the exploitation of prostitution, including women and girls in prostitution (paras. 13–19 and 24), and the creation of improved access to services (para. 25). Please state measures taken or envisaged to address the root causes of prostitution and to prevent women and girls in vulnerable situations from entering into prostitution, including the provision of alternative income opportunities. Please provide information on measures taken, such as awareness-raising, to reduce the demand for prostitution and exit programmes for women and girls in prostitution. Please also provide information on any legislative steps taken to repeal the discriminatory provisions of the Penal Code (sects. 138 (a) and (b) and 139) relating to women in prostitution that use language such as “common prostitute” or person “of known immoral character”.

Participation in political and public life

16. Please provide statistical data on the representation of women in senior and management positions in the foreign service, the judiciary, the parliament and local government positions, as well as in high-level academic positions. Please provide information on the measures taken to ensure the equal representation of women and men in political and public life.

Education

17. Please provide information on the measures taken to promote human rights education in schools and to incorporate age-appropriate and gender-sensitive education on sexuality and the human rights of women into school curricula. The report provides information on the participation of girls in tertiary training institutions (paras. 58–61) and the degree of stereotyping that affects choices of education fields (paras. 57 and 80). Please provide information on the measures taken to increase the participation of girls and women in traditionally male-dominated fields of study such as engineering and in those high-potential areas related to the development of the “blue economy” such as fisheries, aquaculture, energy, biotechnology and submarine mining ([A/HRC/26/27/Add.1](#), paras. 69–71) and to support further employment of women in those sectors. The report provides information on attrition rates of boys and girls in secondary school (para. 88). Please provide information on the dropout rate among girls owing to teenage pregnancy, as well as the rate of girls returning to school after childbirth, and on measures taken by the State party to facilitate the return to school for pregnant girls and young women after childbirth in accordance with the commitment made by the State party during the universal periodic review process ([A/HRC/32/13/Add.1](#), paras. 120.132 and 120.133).

Employment and economic empowerment of women

18. Please indicate the time frame for the enactment of the reviewed Employment Act (paras. 167, 169 and 172). Please provide information on measures taken to reduce the wage gap between women and men, in line with the commitment made by the State party during the universal periodic review process ([A/HRC/32/13/Add.1](#),

para. 120.128) and on measures taken to eliminate occupational segregation, both horizontal and vertical.

19. Please provide statistical data on the number of labour disputes in connection with dismissals owing to pregnancy, and on their outcomes. Please provide information on the measures in place to promote equal sharing of family responsibilities between women and men, including measures to increase the number and capacity of childcare facilities. The State party notes the easier access to loans and grants for women who attended training courses promoted by the Small Enterprise Promotion Agency in the areas of sewing and flower arrangements (para. 176), but a low rate of approval of loans to women (20 per cent) by the Development Bank of Seychelles (para. 132); please indicate any measures in place to facilitate access to credit for women.

Health

20. The State party notes that a national reproductive health policy was developed in 2012 (para. 124). Please elaborate on the key features of the policy, in particular whether it ensures access to modern and affordable contraceptives and awareness-raising on the sexual and reproductive health and rights of women. In view of the Committee's previous recommendation (CEDAW/C/SYC/CO/1-5, para. 35 (a)), please indicate the age at which teenage girls can gain access to contraceptives and HIV testing without the requirement of parental consent.

21. The State party indicates that access to legal and safe abortions is an issue of concern and that women may still have their request for a termination of pregnancy refused by the Board of the Ministry of Health (para. 116). Please explain whether the State party plans to repeal article 148 of the Penal Code, so that abortion is decriminalized in all cases, and to legalize abortion in cases of rape, incest or risk to the physical or mental health of the pregnant woman or severe fetal impairment. Please provide information on access to high-quality services for the management of complications arising from unsafe abortions, as previously recommended by the Committee (CEDAW/C/SYC/CO/1-5, para. 35 (d)).

Climate change and natural disasters

22. The State party notes the establishment of the National Climate Change Committee in 1992 and the adoption of the Disaster Risk Management Act in 2014 (paras. 179 and 181). Please explain how a gender perspective has been integrated into national disaster risk management, relief and recovery strategies, in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please also provide information on the National Vulnerability Assessment Committee and how it integrates a gender perspective into its work (para. 181).

Marriage and family relations

23. The State party notes that the Civil Code has been reviewed by a committee chaired by the Chief Justice and that a bill was at the white paper stage that included proposals to abolish discriminatory legal provisions (paras. 187–196). Please indicate whether the bill has been finalized and introduced in the parliament. Please explain the rights and responsibilities of partners within and upon the dissolution of an “en ménage” relationship (para. 197) and the rights and responsibilities of women whose children are born out of wedlock.