

Country session: Seychelles

Date of session: 18th-19th January

Context

The Committee welcomes the ratification of relevant international instruments for the protection of the rights of children, such as OPSC, and notes the steps taken to bring national legislation in line with the Convention through specific legal acts. However, noting the deep economic inequality of this high-income country, the Committee laments the lack of prioritising and visibility of the rights of the child in the country, noting various types of violence against and sexual exploitation of children at home, school and within the legal system.

Background information

[OHCHR press release](#)

Webcasts [here](#) and [here](#)

[Audio file](#)

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

Common core document	
Initial submission	-

CRC:		OPAC:		OPSC:	
No. of report	5 th -6 th	No. of report	-	No. of report	-
Due date	6 th April 2016	Due date	-	Due date	-
Submission	13 th June 2016	Submission	-	Submission	-

Written replies to LOIs	
Submission	10 th January 2018
Due date	13 th October 2017

Public reports from children's rights defenders

Alternative reports	
NGOs	<ul style="list-style-type: none"> • Child Helpline International • Child Soldiers International

	<ul style="list-style-type: none"> Global Initiative to End All Corporal Punishment of Children
NHRIs	-
Other Stakeholders	<ul style="list-style-type: none"> University of Mauritius

Additional comments: The Committee noted that it was rare not to receive an alternative report to the one provided by the State and questioned the delegation on whether it had undertaken any civil society participation in the writing of its own report, namely if children had been given the opportunity to participate.

State delegation

The delegation of the Seychelles was headed by Mrs. Jeanne Simeon, Minister for Family Affairs, who was accompanied by a high-level representatives from the Social Affairs Department. The small delegation was able to contribute to a technical prolific discussion even though the country does not possess a single body responsible for the rights of children.

Committee’s Task Force members

Name & Last Name	Country
Ms. Hynd AYOUBI IDRISI	Morocco
Ms. Velina TODOROVA	Bulgaria

Dialogue description

i. Character of the dialogue

The discussion was largely technical, with a focus on the need for the Seychelles to carry out specific child protecting measures and put in place the adequate legal framework in accordance with the Convention and international standards to fill lacunae in its law.

ii. General assessment made by the Committee

While the Committee acknowledge the positive aspects of pilot projects in several areas, it pointed out that there is a lack of legal consolidation around the rights of the child, with more to be done in this front to ensure that legislation, coordination and adequate budgeting can be provided for the improvement of the rights enjoyed by children.

iii. Main issues discussed:

- Comprehensive Policy and Strategy:** The Committee expressed interest in the new review of the civil code and the potential positive changes it could mean for children. However, it lamented that the National Action Plan had been extinguished and wondered if necessary financial support was still available for investing in the promotion and protection of the rights of the child. The delegation

replied the National Commission on Human Rights was now responsible for promoting and coordinating measures on children and that ministries have several multi and bilateral programmes which address the needs of children separately.

- **Name and Nationality, right to know and be cared for by parents, right to identity:** the Committee showed concern over the fact that the term “illegitimate child” is still part of the national legal system even though the changes to it have allegedly been underway for twenty years. The delegation said that the process for the removal of this term from law was underway and efforts are being carried out to ensure children have the right to know the identity of their fathers even when he does not legally recognise them. Additionally, the Committee criticised the lack of access to registration and documents of asylum seekers and refugees in the Seychelles, who are also not considered under national law since Seychelles does not have a national asylum law.
- **Violence Against Children:** The Committee welcomed the initiative to ban corporal punishment in all settings, but questioned how successful it had been. It also showed concern over the lack of services of recovery and reintegration available for victims of abuse and questioned if there was a confidential complaint system in place. The delegation said several awareness-raising campaigns for children, parents and teachers had been promoted on corporal punishment and sexual abuse.
- **Non-discrimination:** The Committee showed concern over the permission of marriage of girls under 18 years old and the fact that reports testify that pregnant girls are not allowed to attend school. The delegation said that a girl who becomes pregnant during the school year can finish it but did not clarify if this meant they could not attend school otherwise. The delegation said that there were programmes for return of girls to education after giving birth but it has limited results. Furthermore, the delegation said abortions were legal under the national law, although only a few number were performed at a medical centre, and that teenage pregnancy rates remain high. In order to have access to sexual and reproductive rights and education at their youth centre they must first obtain the permission of a parent or legal guardian.
- **Child labour and exploitation:** The Committee showed concern over the low minimum age to be able to work and advised the delegation that it should be increased to 13 years old. It lamented the lack of identification of child prostitution and pornography as a crime under national law, since children are often victims of the tourism industry. The Committee also questioned which measures the government was carrying out to stop the supply of girls into sex tourism by their families (due to poverty) and to ensure that the judiciary is adequately equipped to deal with reporting and prosecution of perpetrators.
- **Alternative Care:** The Committee asked if institutionalisation of children was driven by poverty and showed concern over the lack of regulation regarding adoption and formal foster care.

Recommendations of the Committee

- **Comprehensive Policy and Strategy:** The Committee urges the State to ensure that the new national plan of action on families 2018-2022 provides greater visibility to children’s rights, develops a strategy with the necessary resources for its application and specify the roles and responsibilities for all agencies with time-bound measurable goals and targets. Likewise it should provide a plan for its effective implementation, monitoring and evaluation.
- **Name and Nationality, right to know and be cared for by parents, right to identity:** The Committee recommends that the Seychelles urgently revise legislation to ensure that children born out of wedlock have the legal right to know and keep in contact with both biological parents. Additionally it recommended the State party to introduce legal safeguards for children who would otherwise be stateless so as to consider ratifying relevant international instruments and seek technical assistance from UNHCR and UNICEF.

- **Violence Against Children:** The Committee urges the State to expedite the amendments to the Children Act to repeal article 70(7) which allows for corporal punishment while explicitly taking measures to forbid it in all settings and strengthen public education and awareness raising programmes to promote changing attitudes. On sexual exploitation and abuse, the Committee recommends that the State reinforces its efforts to enact specific legislation against domestic violence, conducts research on the nature and extent of sexual exploitation for child prostitution and tourism and provide data on complaints, investigations and prosecutions conducted in this regard. Also, the Committee recommended to strengthen mechanisms to ensure mandatory reporting of cases of child sexual abuse and exploitation and ensure that training is provided for relevant staff, conducts awareness raising activities, ensure the existence of accessible, confidential, child-friendly and effective reporting channels and policies for prevention, recovery and social reintegration of child victims.
- **Juvenile Justice:** The Committee recommended the Seychelles to raise the age of criminal responsibility to an internationally accepted standard, refraining from prosecuting children under 12 years of age. In this matter it also suggested to promote non-judicial measures in the case of children accused of criminal offences and provide alternative measures to detention at sentencing, ensuring that detention is used as a measure of last resort, for the shortest amount of time possible and reviewed on a regular basis. Additionally, the Committee suggested the State party to take necessary measures to expedite trials involving children so as to reduce the period of pre-trial detentions and ensure children are not detained alongside adults and have access to food, health and education. Moreover, the Committee urged the State Party to guarantee proper human, technical and financial resources with specialised judges and ensure the provision of qualified and independent legal aid to children in conflict with the law from an early stage and throughout the legal proceedings.

Sustainable Development Goals

In its Concluding Observations, the Committee references the following Sustainable Development Goals in relation to its recommendations to the State party:

- Target 3.1 on reducing maternal mortality;
- Target 3.2 on ending preventable deaths of new-borns and children under 5 years of age;
- Target 4.5 on ensuring equal access to all levels of education and vocational training and eliminating gender disparities on access to education;
- Target 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children;
- Target 16.5 on substantially reducing corruption and bribery in all forms;
- Target 16.9 on providing legal identity for all, including birth registration;

Next State report

CRC	
No. of report	7 th
Due date	6 th October 2022

Disclaimer: Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.