



REFERENCE: DB/follow-up/Seychelles/66

26 April 2017

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the initial to fifth periodic reports of the Republic of Seychelles at the Committee's fifty-sixth session, held in October 2013. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/SYC/CO/1-5). You may recall that in the concluding observations, the Committee requested the Republic of Seychelles to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 17 and 23 of the concluding observations.

The Committee welcomes the follow-up report received with a 9-month delay in July 2016 (CEDAW/C/SYC/CO/1-5/Add.1) under the CEDAW follow-up procedure. At its sixty-sixth session, held in March 2017 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 17** of the concluding observations, that the State party “strengthen the Gender Secretariat and provide it with the authority, decision-making power and human and financial resources necessary for it to work effectively for the promotion of gender equality and the enjoyment by women of their rights, including its capacity for effective coordination and cooperation among the various gender equality and human rights mechanisms and with civil society, in accordance with its general recommendation No. 6 on effective national machinery and publicity, and the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries”: The State party mentioned that CEDAW focal persons in key ministries have been identified. Their role is to coordinate and collect information within their respective organization.

The Committee welcomes the steps taken to identify CEDAW focal persons in key ministries to coordinate and collect information within their respective organization, in line with the concluding observations. However, the Committee has not received sufficient information to assess whether the Gender Secretariat has been strengthened with the authority, decision-making power and the financial resources necessary for it to work effectively for the promotion of gender equality and the enjoyment by women of their rights, including its capacity for effective coordination and cooperation among the various gender equality and human rights mechanisms and with civil society. It considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

His Excellency
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In relation to the recommendation that the State party “ensure the effective functioning of the gender mainstreaming strategy”: The Committee notes that the State party did not provide concrete information on the measures taken to ensure the effective functioning of the gender mainstreaming strategy. It considers that it **did not receive sufficient information** to assess whether the recommendation has been implemented.

With regards to the recommendation that the State party “finalize, without delay, the national gender policy and its action plan, and ensure the effective implementation of the measures aiming at strengthening policies, programmes and campaigns addressing gender stereotyping; and develop a national action plan for the implementation of the present concluding observations”: The State party informed that the National Gender Policy will be launched in early 2016, following Cabinet’s approval. It further reported that the Gender Plan of Action is to be finalized with outstanding sectors to ensure that it is aligned with their sectorial plans once the policy has been approved. It added that a Plan of Action (2013-2015) for the implementation of the present concluding observations has also been developed.

The Committee welcomes that the National Gender Policy is planned to be launched in early 2016, after Cabinet’s approval. Further, it notes that the Gender Plan of Action is to be finalized, after approval of the policy. It also notes that the State party has developed a national action plan for the implementation of the present concluding observations. However, the Committee considers that the national gender policy and its action plan have not yet been launched. It has also not ensured the effective implementation of the measures aiming at strengthening policies, programmes and campaigns addressing gender stereotyping. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to **paragraph 17** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Strengthen the Gender Secretariat and provide it with the authority, decision-making power and human and financial resources necessary for it to work effectively for the promotion of gender equality and the enjoyment by women of their rights, including its capacity for effective coordination and cooperation among the various gender equality and human rights mechanisms and with civil society;
2. Ensure the effective functioning of the gender mainstreaming strategy;
3. Expedite the approval of the national gender policy and its action plan, and ensure the effective implementation of the measures aiming at strengthening policies, programmes and campaigns addressing gender stereotyping.

With regards to the recommendation made in **paragraph 23** of the concluding observations, that the State party “adopt a comprehensive strategy to combat violence against women”: The State party mentioned that its Social Affairs Department currently is reviewing its Domestic Violence Strategy 2008-2012 and Costed National Action Plan for Gender Based Violence 2010-2015 to align it with the National Gender Policy.

The Committee notes the plans of the State party to align its National Action Plan for Gender Based Violence with the National Gender Policy, when this will be adopted. It also notes efforts taken to review its Domestic Violence Strategy. However, the Committee has not received information on the development of a comprehensive strategy to combat violence against women. It also regrets that the National Action Plan for Gender Based Violence has not yet been adopted. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation “to adopt a comprehensive law on violence against women that specifically criminalizes acts of domestic violence, including marital rape”, and to “ensure that acts of domestic violence are tried by the criminal courts rather than the Family Tribunal”: The State party mentioned that the process for the enactment of a Domestic Violence Act is at an advanced stage. It added that discussions and consultations are being finalized and it expects that within the first quarter of 2016, the Attorney General pronounce itself on the final draft for approval by the Cabinet.

The Committee welcomes the steps taken by the State party to enact a Domestic Violence act. However, the new Domestic Violence Act has not yet been adopted as recommended by the Committee. Further, the Committee has not received information whether this Act will specifically criminalize acts of domestic violence, including marital rape, and whether it ensures that acts of domestic violence are tried by the criminal courts rather than the Family Tribunal. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

With regards to the recommendation that the State party “encourage women and girls who are victims of violence to report cases to the police, by raising awareness about the criminal nature of such acts, de-stigmatizing victims and providing systematic training to judges, prosecutors, the police and law enforcement and medical personnel on standardized, gender sensitive procedures for dealing with victims of violence against women and effectively investigating complaints”: The State party reported on capacity-building directed at Faith-based organizations on the fight against Gender Based Violence, particularly Domestic Violence, at state and non-state actors on support for victims of domestic violence, at health officials on evidence collection and at police and army on the engagement of men to prevent and stop violence against women and on the identification of community based solutions. The State party added that awareness raising sessions on the impact of domestic violence for perpetrators of gender-based violence is being considered.

The Committee welcomes efforts made by the State party to raise awareness on gender – based violence. However, the Committee considers that the State party did not take sufficient measures to raise awareness about the criminal nature of gender-based violence and to de-stigmatize victims of such acts. The Committee further notes training of health officials to collect evidence on cases of gender-based violence. However, it considers that the State party has not provided systematic training for concerned actors on standardized, gender sensitive procedures for dealing with victims of violence against women and effectively investigating complaints. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**

In relation to the recommendation “to ensure expeditious access to justice for women victims of all forms of violence and prosecute any such acts of violence, upon complaint by the victim or ex officio, and adequately punish perpetrators”: The Committee **did not receive any information** to assess whether the recommendation has been implemented.

Regarding the recommendation “to strengthen victim assistance and rehabilitation through the establishment of a comprehensive care system for victims of gender-based violence, including measures to ensure their access to free legal aid, medical and psychological support, shelters and counselling and rehabilitation services”: The Committee **did not receive any information** to assess whether the recommendation has been implemented

The Committee recommends that, in relation to paragraph 23 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Expedite adoption of a comprehensive strategy to combat violence against women;

2. Expedite adoption of a comprehensive law on violence against women that specifically criminalizes acts of domestic violence, including marital rape, and ensure that acts of domestic violence are tried by the criminal courts rather than the Family Tribunal;

3. Strengthen efforts to raise awareness about the criminal nature of violence against women, to de-stigmatize victims and provide systematic training to judges, prosecutors, the police and law enforcement and medical personnel on standardized, gender sensitive procedures for dealing with victims of violence against women and effectively investigating complaints;

4. Ensure expeditious access to justice for women victims of all forms of violence and prosecute any such acts of violence, upon complaint by the victim or ex officio, and adequately punish perpetrators;

5. Strengthen victim assistance and rehabilitation through the establishment of a comprehensive care system for victims of gender-based violence, including measures to ensure their access to free legal aid, medical and psychological support, shelters and counselling and rehabilitation services.

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

Yours sincerely,



Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women