

ADVANCE UNEDITED VERSION

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Committee on the Elimination of Racial Discrimination**List of issues prior to submission of the sixth report of Seychelles***

1. The State party is requested to submit in writing the information requested below (21, 200 words maximum) by 13 December 2025. The State party's replies to the list of issues prior to reporting will constitute its 5th periodic report under article 9 of the International Convention on the Elimination of Racial Discrimination.

General information

2. Please outline any significant developments of a legislative, institutional or policy nature that have taken place in the State party, that have contributed to the promotion and protection of human rights, in particular those rights covered by the Convention.
3. Please provide disaggregated statistics on the ethnic composition of the State party's population, including on ethnic minorities and on non-citizens such as asylum seekers, refugees, stateless persons, migrants, and detainees, taking into account the Committee's general recommendations No. 8 (1990) and No. 24 (1999) and paragraphs 10 and 12 of its reporting guidelines.¹
4. Please indicate the status of the Convention in the domestic legal order and indicate, providing examples, whether it has been or can be directly invoked in domestic courts.
5. Please detail actions taken or planned by the State party to make the optional declaration provided for in article 14 of the Convention.

Article 1

6. While noting that article 27 (1) of the Constitution of the State party provides that every person has a right to equal protection of the law without discrimination on any grounds except as it is necessary in a democratic society, there is no definition of "racial discrimination" in line with the Convention. Please provide information whether further legislation will be adopted that expressly prohibits racial discrimination, encompassing discrimination based on race, colour, descent, or national or ethnic origin, as well as direct, indirect, and intersectional forms of discrimination, taking into account the Committee's general recommendations No. 1, 7 and 15, on the preventive value of such legislation.
7. Please also provide information on whether the legal system of the State party provides for differential treatment based on citizenship and migration status, and on the compliance of any such differentiation with article 1 (2) and (3) of the Convention.

* Adopted by the Committee at its 114th session (25 November - 13 December 2024).

¹ CERD/C/2007/1.

8. Please provide information on whether the State party's legal system allows for the adoption of special measures to ensure the adequate advancement of individuals and groups protected the Convention, including migrants, refugees, and asylum seekers.

Article 2

9. Please outline legal framework, policies, strategies, and other measures in place to eliminate racial discrimination and to give effect to the provisions of article 2 (1) and (2) of the Convention. Please also provide information on steps taken to enact comprehensive anti-discrimination legislation including prohibition and penalizing acts prohibited under the Convention.

10. Please detail cases in which the Convention has been applied or evoked before courts, tribunals, or other relevant bodies in the State party. Please also include the number and nature of cases brought, of investigations, of convictions and of sentences imposed, and information on any reparation or other remedies provided to victims.

11. Please outline legislation, policies, and other measures in place to protect the rights of asylum seekers, refugees, migrants, and stateless persons. Please indicate steps to bring national legislation, in particular, the Immigration Decree of 1981, into conformity with international standards, the obligations of the State party and the Convention. Please expand on the Immigration Decree, as amended, with regards to its definition of "prohibited immigrants," and on the custodial sentences associated with prohibited entry into the State party. Please inform on implementation of the Decree, including its compliance with the Convention. Please update on implementation of the National Labour Migration Policy.

12. Please provide details of applicable provisions and procedures for the processing of asylum applications in domestic law and on the relevant criteria on which the State party bases its decision to accept or refuse them, in light of applicable international agreements.

13. Please provide information on any consideration given to ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Please outline steps taken to proceed with domestication of the 1951 Convention Relating to the Status of Refugees.

14. With respect to the Citizenship Act, please indicate measures taken to prevent and eliminate statelessness and to repeal discriminatory legal provisions for those born to a Seychellois mother outside the State party between 1976 and 1979, owing to the gender discrimination existing to those born outside the country between the entry into force of the independence constitution of 1976 and the republican constitution of 1979.

15. Please provide information on measures, including through legislation, to prevent and combat trafficking in persons, both with regard to forced labour and sexual exploitation, in particular of children, women, and migrant workers. Please advise on the effectiveness of the implementation of the Trafficking in Persons Act of 2014, and on resources allocated for its implementation. Please inform whether there is a National Action Plan on Trafficking in Persons. Please also update on the work of the National Coordination Committee on Trafficking in Persons.

16. Please inform whether there are proposals to develop a National Action Plan on Racism to support the State party in addressing related intolerances. Please also inform on implementation of the National Gender Plan of Action and efforts to fully resource said implementation.

17. Please provide information on the Seychelles Human Rights Commission, including its mandate, independence, and financial and human resources, and on the status of the request for its accreditation by the Global Alliance of National Human Rights Institutions. Please provide information on steps taken to bring the institution into full compliance with the Paris Principles on national human rights institutions. Please also indicate whether it is mandated to combat racial discrimination, including through the consideration of individual complaints of racial discrimination. Please advise of measures to inform the public of its work, in English, French and Créole.

18. Please explain how national policies and programmes on climate change, disaster response and disaster risk reduction integrate ethnic, religious, and linguistic minorities, climate displaced persons, and non-citizens, such as migrants, asylum seekers, refugees and stateless persons. Please provide information on the Disaster Risk Management Act of 2014, the National Disaster Risk Reduction Strategic Plan for the period 2021-2030, and the Seychelles National Integrated Emergency Management Plan.

Article 4

19. Please provide information on whether the criminal legislation is fully in accordance with the provisions of article 4 of the Convention, on all the grounds outlined in article 1 (1) of the Convention, in particular with regard to the criminalization of:

(a) All dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination.

(b) All acts of violence or incitement to such acts against any group of persons on the grounds of race, colour, descent or national or ethnic origin.

(c) The provision of any assistance to racist activities, including the financing thereof.

(d) Organizations that carry out organized propaganda activities or spread any other type of propaganda and that promote or incite racial discrimination, and the recognition of participation in such organizations or activities as an offence punishable by law.

(e) Incitement to or encouragement of racial discrimination by public authorities or public institutions, whether national or local.

20. Please indicate steps taken to ensure that racial motives, including all grounds outlined in article 1(1) of the Convention, are considered as an aggravating circumstance under domestic criminal legislation.

21. Please provide detailed statistics on complaints filed, investigations carried out, prosecutions undertaken, decisions taken, and sentences passed by national tribunals and other State institutions regarding acts of racial discrimination, in particular offences under article 4 of the Convention. Please also provide information on any reparation or other remedies provided to victims of such acts.

22. Please indicate mechanisms established for monitoring and collecting data on racist incidents, including acts of racist violence and hate speech, including online, in the State party, and information on the data collected through such mechanisms.

Article 5

23. Please provide information on the enjoyment of the rights enshrined in article 5 of the Convention by non-citizens residing in the territory of the State party, including migrants, refugees, asylum seekers and stateless persons.

24. On migrants, please provide information on:

(a) Statistics, disaggregated by age, sex and nationality, on the number of migrants detained or deported for violations of immigration laws.

(b) Measures in place to strengthen inspection of the working conditions of non-citizens, in particular those aimed at guaranteeing that migrant workers, especially women, are not subjected to physical abuse, confiscation of passports, lower wages, non-payment of salaries and wage theft, reportedly occurring especially in the construction, tourism and commercial fishing sectors. Please outline interventions set up to inform foreign workers of their rights and the remedies available in cases of discrimination and exploitation in employment.

(c) Effective investigations carried out before a Prohibited Immigrant Permit is issued to migrant workers.

(d) Steps taken to integrate and improve the living conditions of migrant workers and to prevent and address discrimination against them.

25. Please detail efforts to prevent and combat trafficking in persons, in particular:

(a) Measures to establish shelters or long-term accommodation; and inform on support provided for victims of trafficking on rehabilitation, access to care and reintegration or repatriation. Please clarify on the reports on the lack of shelter for victims of trafficking and of adequate resourcing of the one *Centre d'Accueil de La Rosière* for said victims.

(b) Education and awareness-raising campaigns on the risks and the criminal nature of trafficking, aimed at migrant workers, among others, and trafficking-specific training provided to law enforcement officials, border guards, judges, prosecutors, labour inspectors, teachers, health-care providers, and social services personnel.

(c) Remedies provided and protection measures offered to victims of trafficking, including legal, medical, and psychosocial assistance, and protection from retaliation, in particular, information on the Trafficking in Persons Fund.

(d) Statistics or number of cases of trafficking that have been addressed by national or local authorities, including investigations, prosecutions, convictions, and sentences pronounced against those responsible, including officials complicit in trafficking crimes, and the remedies and protection offered to the victims.

25. Regarding asylum seekers, refugees, and stateless persons, please provide information on:

(a) Steps taken to ensure respect for the right to seek asylum by enabling effective and unhindered access to the State party's territory and full compliance with the principle of non-refoulement. Please confirm that no refugee status has been granted to date.

(b) Measures taken to integrate and grant citizenship to stateless persons who are entitled to it, including due to extended residence in the State party. In particular, on effective measures adopted to guarantee the rights and equality of Chagossians living in the territory of the State party, including ensuring full and equal citizenship and reunifications, noting reports of Chagossians who have extended residence in the State party but are still stateless.

26. On ethnic minorities, especially the Chagossians, please provide information on:

(a) Effective measures in place to ensure access to economic, social, and cultural rights, including access to housing, health, education, and social services.

(b) Efforts to address disparities of access of Chagossian children to education especially.

(c) Measures in place to address reports of instances of torture in places of detention.

(d) Inclusion of ethnic minorities in the Independent Electoral Commission to ensure that it is comprised of several persons rather than a single person serving as an electoral commissioner.

27. Please provide information on multiple or intersectional forms of racial discrimination with respect to discrimination based on gender or sexual orientation

Article 6

28. Please outline legislative, judicial, administrative, or other measures that give effect to the provisions of article 6 of the Convention in the State party. Please also inform on the steps taken by the State party to educate and inform the public about their rights under the Convention, about the laws prohibiting racism and racial discrimination and on the availability of redress mechanisms and remedies in relation to such acts.

29. With regard to cases relating to racial discrimination, please provide detailed information on any complaints received, investigations conducted, and recommendations made under legislative, judicial, and administrative auspices including the Office of the

Ombudsman, and the Seychelles Human Rights Commission. Please also inform on the burden of proof required in civil proceedings in cases involving racial discrimination.

30. Please indicate measures to provide adequate capacity building for law enforcement, immigration, and judicial officials to ensure respect and protection of human dignity without discrimination on the grounds of race, colour, or national or ethnic origin in their work.

32. Please outline trainings for the judiciary and law enforcement on investigation and prosecution of cases of discrimination and violence, especially against minorities, LGBTI persons, women, migrants, refugees, and asylum-seekers.

Article 7

31. Please outline measures taken to implement article 7 of the Convention, in particular on dissemination of information to promote mutual understanding, tolerance, dialogue, and friendship among the ethnic groups in the country.

32. Please detail actions taken to preserve minority cultures and languages, as well as measures to promote access to and participation in cultural heritage and creative expressions, including by minorities, indigenous peoples, migrants, and refugees.

33. Please provide information on measures taken to encourage organizations working on the elimination of racial discrimination and support for the activities organized by these associations.

34. Please provide information on human rights education in the State party, including in relation to the rights contained in the Convention, both as provided in school curricula and as made available to the population in general.

35. Please provide information on actions taken to encourage awareness among media professionals of their particular responsibility to avoid prejudiced, racial, discriminatory, or biased language, and to avoid reporting incidents involving members of groups protected by the Convention in a way that blames such groups as a whole.
