

REPUBLIC OF SEYCHELLES

**Opening Statement of Mr Raymond St Ange, Superintendent of Seychelles Prison Service, Head of Delegation**

**Consideration of the Initial State Party Report of the Republic of Seychelles on the Implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

**64th Session of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

**30 - 31 July 2018**

**Palais Wilson, Geneva**

**Mr. Chairperson**,

Distinguished members of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Good morning.

I am honoured to be participating at the 64th Session of this Committee and to engage in a constructive dialogue on the Committee’s consideration of the Initial State Party Report of the Republic of Seychelles on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

I have the privilege of leading the Seychelles delegation in this session in my capacity as the Superintendent of the Seychelles Prison Services. The delegation is composed of Ms Sheryl Vangadasamy, Special Advisor for Home Affairs; Mr. Ted Barbe and Mr Romano Songor, Deputy Commissioners of Police from the Seychelles Police Department; Mr Justin Dogley and Mr Neville Thaver, Superintendent of Police; Mr Danny Mondon, Assistant Superintendent; Ms Louisna Neamtu, Chief Inspector, Seychelles Prisons Services; Ms Elsa Nourrice, Director for Probation and Rehabilitation; Mr Ananth Subramaniam, Assistant Principal State Counsel from the Attorney General’s Office; and Ms. Gayethri Pillay and Ms. Teresa Laurencine, Director and Third Secretary, respectively, from the International Law and Human Rights Unit of the Department of Foreign Affairs.

**Mr. Chairperson,**

Members of the Committee,

We recognize and regret the delay in submitting Seychelles’ Initial State Party report and we avail ourselves fully to you during these two days to engage in this most important dialogue. As a country which is a party to all nine of the core UN Human Rights Instruments, which as you know all carry reporting commitments, we have faced some challenges, both financial and human resource constraints, in ensuring the fulfillment of our reporting obligations.

The submission of our report is therefore a demonstration that Seychelles is committed to fulfilling all its obligations, and with the appropriate support, we are fully willing to realize our responsibilities under the Convention.

In recognizing our reporting constraints **Mr. Chair,** we are keen to put in place mechanisms to address the same. It is in this view, that the Government established the Seychelles Human Rights Treaty Committee in 2012, which is composed of relevant representatives from Governmental Ministries and NGOs/CSOs. The Committee is mandated to oversee and coordinate the reporting obligations and efforts of Seychelles. We anticipate that such mechanisms will allow us to submit our Periodic Reports to the Committee in a timely manner.

**Mr. Chairperson,**

Seychelles is a young Republic, having obtained independence in 1976, and with its present Constitution adopted in 1993, only twenty five years ago. It is a multi-party democracy, built upon the foundations of a strong culture of respect for human rights, equality and non-discrimination.

Seychelles does not have an indigenous population – it is a country inhabited and founded by settlers and migrants of different races, colours and cultures. Our Constitution proudly notes that *“as descendants of different races, we have learnt to live together as one Nation under God and can serve as an example for a harmonious multi-racial society*.” In cognizant of the diversified persons and families who arrived on our shores, we are especially proud of our culture and traditions and the importance of national unity, peace and stability, in order to ensure the continuous progress of our country.

Under Part I of Chapter 3 of the Constitution of the Republic of Seychelles, the “Seychellois Charter of Fundamental Human Rights and Freedoms” is inscribed. The Charter sets out in Articles 15 to 39 the various human rights and freedoms protected under it.

Article 16 of the Constitution provides for protection of the ‘Right to Dignity’. It states that “*Every person has a right to be treated with dignity worthy of a human being and not to be subjected to torture, cruel, inhuman or degrading treatment or punishment*”, and most notably, **Mr. Chair,** there are no permitted derogations from this Article. It is without a doubt that the Government of Seychelles acknowledges the indispensable nature of this right. The Constitution of Seychelles provides that the Constitution is the supreme law of Seychelles and any other law found to be inconsistent with it is, to the extent of the inconsistency, void. Furthermore, Part IV of Chapter 3 of the Constitution provides for remedies for contravention, whether by a law, an act or omission, of any of the rights and freedoms enshrined in the Charter.

**Mr. Chair**, the Seychelles Government has adopted an outright approach in ensuring that any act falling within the Convention’s definition of torture is clearly illegal and prosecutable in Seychelles, and the Government of Seychelles has worked tremendously in upholding the true spirit of the Convention.

In this regard, I am pleased to state that there are ongoing revisions in certain laws in Seychelles which safeguards the implementation of the purpose of the Convention by the prominent implementers of the Convention in Seychelles. Namely, the revised Police Force Act and the Prisons Act are both expected to be in force by the end of 2018. These revisions will, amongst other things, legally reinforce and establish the necessary mechanisms, such as operating procedures and infrastructure, aimed at an improved system in line with the human rights based approach.

As you know **Mr. Chair,** equal and dignified treatment of all people is a fundamental principle of both international human rights law and domestic constitutional provisions, and the Seychelles Government has come a long way in upholding this. Over the past years, any potential cases contravening the Convention has been duly explored with the setting up of Commissions of Inquiry by the President of the Republic to enquire in the conduct of any officer in the public service, any other matter relating to the public service, and any matter of public interest or concern, or for which an inquiry would be for the public welfare.

In addition, all fundamental rights and freedoms provided for by the Constitution of Seychelles, including the right to dignity, may also be investigated by the Ombudsman in conformity with the relevant provisions of the Constitution. The National Human Rights Commission is also empowered under the Protection of Human Rights Act to carry out enquiries into any written complaints of alleged violation of human rights.

**Mr. Chair,**

Indeed much has been achieved by Seychelles in ensuring that all peoples under its jurisdiction are afforded the constitutional safety and protection, and proper treatment which do not defy the Convention. We are, however, mindful of the challenges that we need to overcome in order to continue to effectively implement the Convention. Reinforcing the capacity of public service officers, particularly, those operating within the main implementing bodies relating to the Convention are important so that we may remain abreast with emerging challenges and address them effectively.

Our limited resources and capacity as a small country at times hinders our pace in achieving our objectives. We nonetheless remain confident and welcome the technical support of our national and international partners in our endeavors. For us to make greater progress, all partners must play their part in raising awareness of the Convention.

**Mr. Chairperson,**

Members of the Committee

Seychelles will continue to effectively cooperate with the various UN and Regional Human Rights Mechanisms. In 2016, Seychelles underwent its second UPR session, where the upholding of various recommendations was explored. Furthermore, Seychelles issued a standing invitation to the Special Procedures mechanism of the Human Rights Council. We have so far hosted two Special Rapporteurs – on the Right to Education, and on Trafficking in Persons, especially women and children. Our shores are open, **Mr. Chair**, and we count on our international friends and partners for an honest dialogue in order to improve upon any shortcomings and gaps in our endeavor to guarantee the full realization of human rights for all persons.

I conclude, **Mr. Chairperson,** Members of the Committee, by reiterating that I and the delegation of experts that I am leading, avail ourselves fully to the Committee during these two days to provide any further information you require on the implementation of the rights under the Convention by Seychelles. We are keen to hear your experienced views on how best Seychelles can improve the protection and promotion of such rights, and to also learn from the best practices of fellow states.

Thank you Mr. Chairperson.