



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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

**Combined initial, second, third and fourth and fifth periodic reports of
States parties**

Seychelles* **

[12 October 2011]

* In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes can be consulted in the files of the Secretariat.

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List of abbreviations and acronyms

ACCA	Association of Chartered Certified Accountants
AIDS	Acquired Immune Deficiency Syndrome
ALDEC	Adult Learning and Distance Education Centre
APSHF	Association for the Promotion of Solid and Humane Families
ASFF	Alliance of Solidarity for the Family
AU	African Union
BAS	Bar Association of Seychelles
Cap.	Chapter
CCA	Concessionary Credit Agency
CDCU	Communicable Disease Control Unit
CDS	Curriculum Development Section
CESD	Climate and Environmental Services Division
CEO	Chief Executive Officer
CSO	Civil Society Organization
DA	District Administrator
DBS	Development Bank of Seychelles
DRDM	Department of Risk and Disaster Management
EDF	European Development Fund
EFA	Education for All
EMPS	Environment Management Plan of Seychelles
EU	European Union
FAWE	Forum for African Women Educationalists
FBO	Faith Based Organization
FLHE	Family Life and Health Education
GBV	Gender Based Violence
GDI	Gender Development Index
GDP	Gross Domestic Product
GEM	Gender Empowerment Measure
GMAS	Gender and Media Audience Study
GMS	Gender Management System
HBS	Household Budget Survey
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
HR	Human Resources
HSA	Health Services Agency
IDC	Island Development Company
ICPD	International Conference on Population and Development
IEC	Information, Education and Communication
IGCSE	International General Certificate of Secondary Education
IMF	International Monetary Fund
IOC	Indian Ocean Commission
ILO	International Labour Organization
LUNGOS	Liaison Unit for Non-Governmental Organization
MAM	Ministry of Administration and Manpower
MCD	Ministry of Community Development
MD	Millennium Declaration
MDGs	Millennium Development Goals
MERP	Macro Economic Reform Programme
MESA	Ministry of Employment and Social Affairs
MFA	Ministry of Foreign Affairs

MNA	Member of the National Assembly
MoH	Ministry of Health
NAC	National AIDS Council
NCC	National Council for Children
NCCC	National Climate Change Committee
NCD	Non-Communicable Disease
NCCP	National Commission for Child Protection
NGM	National Gender Machinery
NGMT	National Gender Management Team
NGO	Non-Governmental Organization
NGSC	National Gender Steering Committee
NHRDC	National Human Resources Development Council
NPASD	National Plan of Action on Social Development
NRDMS	National Risk and Disaster Management Secretariat
NSB	National Statistics Bureau
ODEROI	Indian Ocean Observatory for Children's Rights
OHCHR	Office of the High Commissioner for Human Rights
PEP	Post Exposure Prophylaxis
PLWHA	Person Living With HIV/AIDS
PoA	Plan of Action
PHD	Public Health Department
PS	Principal Secretary (CEOs of government ministries or departments)
PSE	Personal and Social Education
PSI	Post Secondary Institution
PSO	Public Service Order
S	Section
SADC	Southern African Development Community
SAHTC	Seychelles Agriculture and Horticulture Training Centre
SAP	Skill Acquisition Programme
SAWOP	Seychelles Association of Women Professional
SBC	Seychelles Broadcasting Corporation
SCU	Seychelles Credit Union
SDD	Social Development Department
SEnPA	Small Enterprise Promotion Agency
SEP	Special Education Programme
SHTTC	Seychelles Hospitality Tourism Training College
SIBA	Seychelles International Business Authority
SIDEC	Seychelles Industrial Development Corporation
SIDS	Small Island Developing States
SIM	Seychelles Institute of Management
SLRF	Sea Level Rise Foundation
SNP	Seychelles National Party
SPPF	Seychelles People's Progressive Front
SPTC	Seychelles Public Transport Corporation
SCR	Seychelles Rupee
STA	Seychelles Tourism Academy
STC	Safe Technology Committee
STI	Sexually Transmitted Infection
SWASA	Seychelles Women and Sports Association
SYLP	Seychelles Young Leaders Programme
S4S	Sustainability for Seychelles
TFR	Total Fertility Rate
TOP	Termination of Pregnancy
TOR	Terms of Reference

TOT	Training of Trainers
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
UNEP	United Nations Environment Programme
UNFPA	United Nations Population Fund
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNIFEM	United Nations Development Fund for Women
VAW	Violence against Women
VCT	Voluntary Counselling and Testing
WASO	Women in Action and Solidarity Organization
WSSD	World Summit for Social Development
YES	Youth Employment Scheme
YHC	Youth Health Centre

I. Introduction

1. The Republic of Seychelles acceded without any reservations to the Convention on the Elimination of all Forms of Discrimination against Women (on 5 May 1992, which entered into force for the republic on the 4 June 1992. The Optional Protocol was signed on 22 July 2002 (and has recently been ratified on 1 March 2011, entering into force on 1 June 2011).

2. Seychelles' initial report under the Convention has been overdue since June 1993. This report is an amalgamation of the initial report with the second, third, fourth and fifth periodic reports, scanning a period from 1993 to 2009. The report also incorporates responses to the list of issues and questions in the absence of initial and periodic reports' requested by the Committee in its letter dated 15 September 2009 (CEDAW/CSYC/Q/5).

3. The de jure analysis reveals that the Seychelles Constitution and Laws are largely compliant with the articles of the Convention. Pervasive and evasive forms of gender discrimination exist in the de facto situation due to deeply entrenched cultural stereotypes, harmful perceptions of masculinities and femininities that are the hardest to combat. Details of these practices are detailed in the report.

4. The completion of this report was achieved through the effective partnership of Government, the private sector and civil society. The Minister and management of the Ministry of Social Development and Culture¹ on behalf of the Government of Seychelles first and foremost sincerely thank the lead consultant, Mrs. Mahrookh Pardiwalla for her dedication and hard work in preparing this comprehensive report. Special thanks to the Gender Secretariat for its support and Mrs. Iris Carolus as the legal consultant. This report is the result of a wide consultative process. The Ministry gratefully acknowledges the contributions made by the inter-sectoral drafting committee and other stakeholders who assisted in the information gathering stage. Particular mention is made to the Cabinet of Ministers and members of the public for their comments and endorsement of the report during the final validation process.

II. Background

5. Seychelles acceded without any reservations to the Convention on the Elimination of All Forms of Discrimination against Women on 5 May, 1992 which entered into force for the republic on 4 June 1992 (30 days after deposit of the Instrument of Accession). It signed its Optional Protocol on 22 July 2002. Ratification of the Optional Protocol was approved by the Cabinet of Ministers on 12 May 2010 and on 23 November 2010 by the National Assembly. Currently it is being processed by the Ministry of Foreign Affairs (MFA).

6. In line with article 18 of the Convention, State parties are obligated to produce an initial report on the legislative, judicial, administrative or other measures adopted to give effect to the provisions of the Convention within one year after the entry into force (30 days from ratification/accession) of the Convention, and thereafter, report periodically every four years on progress made in the implementation of the Convention.

7. Seychelles' initial report was due in June 1993. The second, third, fourth and fifth periodic reports were due in June 1997, 2001, 2005 and 2009 respectively. This report is

¹ The Ministry of Health and Social Development was restructured to the Ministry of Social Development and Culture effective from June 2010.

Seychelles' first submission. It is a consolidation of the initial and periodic reports spanning a period of seventeen years from 1993 to 2009.

8. Seychelles abides by and is party to a number of other international and regional human rights treaties, policies and guidelines with a focus on women, children and gender equality. They are the:

- (a) Beijing Declaration and Platform for Action (BPFA) adopted in 1995;
- (b) African Union (AU) Protocol to the African Charter on Human Rights on the Rights of Women in Africa ratified on 9 March 2006. Seychelles also committed to the AU Solemn Declaration on Gender Equality in 2004;
- (c) The Convention on the Rights of the Child ratified on 7 September 1990. Seychelles signed the Optional Protocols on the involvement of children in armed conflict 2000 and on the sale of children, child prostitution and child pornography 2000 on 23 January 2001. National procedures for ratification have been completed. Seychelles is in the process of liaising with the United Nations for updating of its records;
- (d) South African Development Community (SADC) Declaration on Gender and Development signed on 8 September 1997 and its Addendum on the Prevention and Eradication of Violence against Children and Women signed on 14 September 1998. Both are awaiting ratification;
- (e) SADC Gender and Development Protocol signed in 2008. The Protocol is in the final stages of ratification;
- (f) The Indian Ocean Commission Gender Policy adopted on 4 April 2009;
- (g) United Nations Millennium Declaration adopted in 2000;
- (h) Millennium Development Goals;
- (i) Dakar Framework for Action - Education for All Goals adopted in 2000;
- (j) ILO Convention No. 100: Equal Remuneration for Equal Pay which entered into force on 23 November 2000;
- (k) ILO Convention No. 111: Discrimination in Respect of Employment and Occupation which entered into force on 23 November 2000; and
- (l) The Commonwealth Plan of Action for Gender Equality 2005-2015.

9. Seychelles has ratified all other major United Nations Human Rights treaties and many of the regional instruments with targets/commitments to gender equality (a full list of treaties and their current status is attached in appendix 1). Ratification of these Conventions signals Seychelles' high level of commitment to join the international community in making human rights a reality for its entire population.

Reasons for late submission of the reports under the Convention

10. Seychelles is a Small Island Developing State (SIDS). Reporting obligations to various international/regional bodies with different periodicity timeframes and reporting formats impose a considerable strain on the limited human and financial resources of the very small Gender Secretariat (staffed by only two Senior Research Officers), which is housed within the Ministry of Health and Social Development, charged with the responsibility for coordinating all reports related to women and children. There is currently no national institutional mechanism or budgetary provisions for treaty reporting.

11. Minutes of meetings indicate that the National Gender Steering Committee (NGSC) discussed the issue of the outstanding State party's report since its first meeting in February 1994 and was liaising with the United Nations for reporting guidelines and with the

Commonwealth and Attorney General's Office for some technical assistance in capacity building. However, it does not seem that efforts progressed from this at all.

12. Efforts to re-launch the report drafting were made in April 2001 by the newly established multi-sector Interim Gender Consultative Committee without success (Minutes of meeting dated 3 May 2001). From then on, Government restructuring and the constant shifting of the location of the gender portfolio described under article 3, impeded further progress.

13. In 2005 the Social Development Division made inquiries to the United Nations Secretary General regarding availability of technical assistance in writing the initial state party report, a list of potential local consultants was drafted to lead the process, but the funding was not secured to continue with the process. In 2007, the Gender Secretariat now within the Ministry of Health and Social Development approached the UNDP office for assistance with drafting the report under the Convention. Despite initial hopes, the request was unsuccessful. A Research Officer within the Gender Secretariat started working on the initial report in February 2008, collecting policies and reports and procuring relevant copies of the Laws of Seychelles.

14. Seychelles' record of reporting on other international treaties has been generally weak. Members of the International Affairs Committee of the National Assembly were sensitized on international and regional treaties and obligations placed on Member States who have ratified treaties at a workshop conducted by Human Rights consultant from the Office of the High Commissioner for Human Rights (OHCHR), Farhana Zuberi, in 2009. Over-due reports and the lack of national coordination for treaty reporting was again the main concern of a workshop on "Human Rights Reporting in Seychelles" organized by the Ministry of Foreign Affairs, which was held from the 28-30 September 2009 by the OHCHR, in cooperation with the United Nations Development Programme (UNDP) and the European Union (EU). Participants included partners from a number of relevant ministries and departments including the Social Development Department (SDD), national assembly members as well as representatives of civil society organizations.

15. The following strategy was proposed:² (a) appointment of a committee (or mandating an existing one) to oversee the submission of reports; (b) identification of core membership of committee comprising of ministries and departments concerned by all of the treaties; (c) identification of an appropriate focal point at a sufficiently high level to convene and coordinate the committee. The strategy would also include sensitization of senior officials to ensure commitment, involvement of parliamentarians and setting up an effective network of partners including civil society for the drafting and elaboration of the reports.

16. Implementation of the above strategy will facilitate future report writing. The Ministry of Foreign Affairs is the focal point for international treaties. It has recently created a Treaty and Consular Affairs Section. The main roles of the Section are to:

- Provide advice and recommendations to Government on the issue of signature, ratification and accession to international, regional and bilateral treaties (Conventions, Protocols, Agreements, etc).
- Provide legal advice and, when necessary, to represent the country in negotiations leading to the signing of bilateral agreements.

² Final Narrative Report: EU Project Ref: 9.ACP.SEY.003 – National Capacity Building Programme for State and Non-State Actors in Seychelles

- Assist in drafting national legislation for the implementation of international, regional and bilateral treaties to which Seychelles is party.

17. The Treaty and Consular Affairs Section is the focal point of the MFA for consular matters, the liaison office for transmission of requests for Mutual Assistance in Criminal and Civil Matters and for transmission of matters related to the adoption and abduction of children under the corresponding conventions.

Gender reports

18. In spite of the constraints mentioned above, Seychelles has to date submitted the following reports which provide fairly comprehensive information on progress of women and actions undertaken in line with treaty specific targets. These reports are available on the gender website at www.genderseychelles.gov.sc.

- (a) The Beijing +5 and +10 Reviews submitted in 1999 and 2005 respectively.
- (b) AU Solemn Declaration- Initial Report submitted in 2007.
- (c) Gender Report for the Elaboration of a sub-regional Indian Ocean Commission Gender Strategy submitted in 2008.
- (d) Convention on the Rights of the Child –initial report submitted in 2001 and the combined second, third and fourth reports submitted in 2009.
- (e) Status Report, Millennium Development Goals, 2004.
- (f) Country Report for the fifteen year review and assessment of the Dakar/NGOR Declaration and the ICPD programme of Action submitted in 2008.
- (g) SADC Gender Protocol Barometer Baseline Study 2009.

Structure of the report

19. As recommended, the report under the Convention on the Elimination of All Forms of Discrimination against Women has been compiled using the latest reporting guidelines provided in HRI/GEN/2/Rev 6 and the Committee's general recommendations. The report also incorporates responses to the 'list of issues and questions in the absence of initial and periodic reports requested by the Committee in its letter dated 15 September 2009 (CEDAW/CSYC/Q/5).

20. The report documents the legislation and summarizes the landmark programmes and activities under each of the 16 articles providing gender disaggregated statistics wherever available. Factors and difficulties are analysed and the steps taken to overcome them highlighted. Reference is made to the political, economic, social and cultural realities of a micro multi-racial state with unique gender specificities.

21. Since this is also an initial report (and in the absence of the common core document), sufficient background information on organizations, support services and human rights provisions are provided for situating the report in context. Seychelles has very recently submitted its combined second, third, and fourth periodic reports for the Convention on the Rights of the Child covering the period 1997-2007 in 2009. Issues for children/girls under 18 are therefore not given prominence in this report. The report under the Convention on the Rights of the child must be read in conjunction with the report under the Convention on the Elimination of All Forms of Discrimination against Women. Copies of important legislation, policies, programmes and action plans are included in the appendix.

Methodology

22. The Ministry of Health and Social Development which also houses the Gender Secretariat, is the lead ministry with responsibility for reporting on the convention. In order to facilitate the compilation of the report extending over 17 years, the ministry adopted a two pronged approach.

(a) Recruitment of the services of an external consultant to lead the report writing process.

(b) Setting up of an inter-sectoral drafting committee chaired by the Principal Secretary of Health and Social Development to ensure participation and ownership of the main line ministries and other critical stakeholders including the Non-Governmental Sector (NGOs) and the media.

23. The Gender Secretariat ensured coordination and provided important logistical support for the entire process. The exercise was set in motion by a Cabinet Information Note reminding all ministries of their obligations to report on the convention.

24. The following activities formed part of the reporting process:

- Sensitization and briefing meetings with members of the inter-ministerial committee;

- Sensitization/data gathering meetings with key agencies such as the Police, National Statistics Bureau, Seychelles Broadcasting Cooperation, Women's Commission of LUNGOS, Electoral Commissioner, representatives of political parties and officials from the Office of the Ombudsman;

- Follow up meetings with members to validate draft reports and identify gaps;

- Legal review of appropriate laws using the Convention assessment tool prepared by the American Bar Association, Central and East European Law Initiative (CEELI) conducted by a local resource person;

- Desk top research, analysis of relevant government documents and statistics and submissions to international regional and sub-regional bodies;

- Validation of draft sections by stakeholders;

- One-day validation workshop with all stakeholders;

- Presentation of Cabinet Information Note and draft report to Cabinet of Ministers;

- Posting of draft report on the gender website and National Library for public review;

- Presentation of Cabinet Memorandum and final report incorporating comments from Cabinet, stakeholders, and the public to Cabinet of Ministers for endorsement; and

- Submission of report through Ministry of Foreign Affairs.

25. Past reports on the situation of women provided valuable background information and some gender disaggregated statistics. It was not possible to use them to monitor trends in gender equality/equity because of the non-standardisation of indicators and reporting formats. In all cases, the reports had not been updated.

26. The State party's report under the Convention relies largely on the national 2002 Census report, the 2006/7 Household Budget Survey and the Labour Survey 2005 produced by the National Statistics Bureau (NSB) for statistics and analysis. More recent statistics

derived from primary sources (public and private organizations) are used to illustrate case studies/profiles and must be read with caution.

27. Support was also received from UN Women during the last quarter of 2010 in terms of capacity building and technical assistance. Seychelles was invited to send two civil society representatives to attend a workshop on reporting on the Convention on the Elimination of All Forms of Discrimination against Women and two government representatives to attend a workshop on the implementation of the Convention, both conducted at the Centre for Human Rights (CHR) at the University of Pretoria in South Africa. A technical expert from the CHR also travelled to Seychelles to facilitate a CEDAW role play with potential government and civil society delegates and a sensitization workshop with a larger group of stakeholders who contributed to the drafting of the State party's initial report, to highlight the links between the Convention and other women and gender human rights treaties.

General information requested by Committee (CEDAW/CSYC/Q/5)

Status of data collection and analysis especially in relation to the situation of women

28. The availability of accurate, timely and consistent sex disaggregated and gender sensitive data is highly important to monitor the progress of women and identify areas of gender inequality. It also facilitates better planning and evaluation. Unsupported planning is often based on incorrect assumptions which may perpetuate existing gender stereotypes and reinforce the status quo. This is especially true of gender where people's perceptions of gender roles do not match reality. The lack of sex disaggregated data was identified as one of the major weaknesses hampering the mainstreaming of gender in policies and programmes in the country's National Plan of Action on Social Development 2005-2015.

29. Seychelles' capacity to track gender equality and women's empowerment is fairly strong in sectors like health, demography and to a lesser extent education, but gender statistics are underdeveloped in traditionally male dominated areas such as business, trade, macroeconomics, legal and private sector.

30. Gender data is spread in multiple locations in line ministries and parastatals with no single point of access. Many of the administrative records such as court records, police records and business registers are not sex disaggregated or computerized. Retrieving and analyzing information manually is a lengthy and expensive process. Even when sex disaggregated data is available, very few ministries and organizations do gender analysis to gauge development impact on women and men. Capacity for sex disaggregated data management, archiving, analysis and dissemination is limited in all major ministries.

31. Seychelles has a small research academic community. Qualitative research on gender and women's issues is very limited. There are very few NGOs working in the area of women's issues that focus on research. Lobbying and advocacy for better quality statistics is therefore limited.

32. Although Seychelles has a High Human Development Index and is ranked 57th out of 182 countries in the 2009 Human Development Report, however it has no calculated Gender Development Index (GDI)³ and Gender Empowerment Measure (GEM)⁴ which can provide international comparison of progress in gender equality. The country also needs to develop a national list of priority indicators in all spheres of social and economic activity

³ The Gender Development Index GDI measures the comparative well being of males and females in a country based on life expectancy, education and earned income.

⁴ The Gender Empowerment Measure (GEM) measures inequalities in political participation and decision making, economic participation and decision making and power over economic resources.

that can better identify gender gaps and are sensitive to the unique gender dynamics of the Seychellois society. This is currently missing.

33. There are currently two key sources for gender statistics in Seychelles; the National Statistics Bureau and the Gender Secretariat. The key functions of the Gender Secretariat include monitoring and evaluation of gender mainstreaming and management of the flow of information and communication. The role of the Gender Secretariat is to act as the permanent Lead Agency within the Gender Management System (GMS), which includes a Management Information System (MIS) mechanism. The function of the MIS mechanism (repository and clearing house for GMS) is limited due to lack of capacity especially since government restructuring. A Gender Secretariat website (www.genderseychelles.gov.sc) was launched in July 2008 in collaboration with the Department of Information, Communication and Technology (ICT) as a communication tool for cost effective dissemination of information to targeted groups.

34. It is hoped that later phases of development, will lead to a more dynamic tool that will facilitate two way communications (e-surveys/polls, discussion boards etc.). The National Gender Plan of Action, the National Gender Communication Strategy and the National Plan of Action for Gender Based Violence all focus on strengthening the capacity of statistical producers (incl. NSB) in gender statistics (including statistics on GBV). The main strategies include lobbying for the mainstreaming of gender into the National Strategy on Development of Statistics (NSDS), sensitization of statistical producers (NSB and administrative), training in gender statistics, GBV research and gender analysis, improvement of data collection and management systems (computerisation) and standardization of gender indicators amongst line ministries.

35. Seychelles has a fairly well established national statistics system. The National Statistics Bureau (NSB) is the apex agency for statistics in the country. It was established as a semi-autonomous organization in February 2005 by an Act of Parliament after changing parent ministries five times from 1980 to 2005. NSB is currently headed by a Chief Executive Officer (male). A Council made up of three female and nine male members advises the CEO on the discharge of the functions of the Bureau and ensures its relevance, independence and autonomy.

36. The functions of the NSB are to collect, compile and publish statistical information relating to commercial, industrial, financial, social and economic conditions of people; to assist government ministries collect, compile and publish statistics derived from their activities, and to develop integrated social and economic statistics pertaining to the whole of Seychelles. In 2008, NSB had a statistical staff of 37 (11 males and 26 females).

37. The NSB is organized in three technical sections: Trade, Employment and Tourism; Censuses and Surveys; and National Account and Prices. The three technical sections are supported by the Corporate Support Section which includes administration, accounts and information technology.

38. The NSB obtains information through the conduct of Housing and Population Censuses, sample surveys and use of administrative records. Censuses and Survey reports are published following their conduct. A national census takes place every 10 years and preparations for the conduct of the 2010 census are currently being finalized. NSB also relies for its information on social statistics in health, education and employment from the line ministries.

39. Data is used for various purposes including planning and policy analysis, decision-making, administration, investment, monitoring and evaluation, accountability, reporting and public debate. The main users include government ministries and departments, the private sector, civil society, research and training institutions, sub-regional, regional and international organizations and the general public. Data suppliers mainly include

households, individuals and groups within specified organizations and establishments/enterprises.

40. The Bureau disseminates its numerous data on its website (<http://www.nsb.gov.sc>) and through a series of statistical bulletins. Demographic and social statistics collected by NSB through censuses and surveys are generally disaggregated by sex and provide reliable data on basic indicators especially in health, education, and literacy what is commonly referred to as the 'capabilities' domain. Reliable and systematic gender disaggregated data are lacking in fiscal, business, trade, macroeconomics, employment, agriculture and legal areas (the opportunities domain). The weakest area is the 'vulnerability domain' with limited disaggregated data on poverty, social exclusion, domestic violence and crime.

41. NSB has identified the following challenges:

- Limited qualified human resources to carry out additional surveys;
- Uneven levels of statistical ability/skills in line ministries which produce/supply data to NSB;
- Management information systems in some line ministries are underdeveloped and weak, thus requiring additional assistance from NSB;
- Insufficient dialogue/ coordination with user groups on a regular basis e.g. woman's organizations and research community to identify indicators;
- Lack of regular publication of same type of data; and
- Gender analytical training and capacity to do more sophisticated surveys such as time use surveys.

42. Data on children including the girl child have considerably improved since the setting up of the Indian Ocean Observatory for Children's Rights (ODEROI) in 2004. The Observatory with its Support Centre based in Mauritius, was created by the Indian Ocean Commission (IOC) and UNICEF, in partnership with the University of Mauritius. Its mission is to strengthen regional and national monitoring of children's rights in the Indian Ocean region through appropriate research, advocacy, networking and information exchange, helping countries to fulfil their commitments to the Convention on the Rights of the Child and in support of achieving the Millennium Development Goals (MDG).

43. Data related to the girl child and children below 18 are collected by the National Statistics Bureau in line with the ODEROI indicators. All Ministries and Organizations working with children are required to provide data to this central bank. In addition, comparative studies commissioned by the ODEROI have been carried out on 'Violence against Children' and 'Adolescent and Mental Health' which situates the Seychellois child against other Indian Ocean Island children.

Brief country context

44. The Republic of Seychelles is a Small Island Developing State (SIDS) made up of an archipelago of 115 islands situated approximately 1,600 km east of mainland Africa in the western Indian Ocean. It has a total land area of 455 km² and an Exclusive Economic Zone of 1.374 million km². The archipelago consists of 41 granitic islands which are the oldest mid-oceanic granite islands on earth and 74 low-lying coral atolls and reef islands which make up the Outer Islands. Forty six percent of the limited land mass is set aside as national parks and reserves. This is proof of Seychelles' high commitment to environmental protection.

45. The capital city Victoria is on the main granitic island of Mahe which has a land area of 148km². The other two important islands in size and population are Praslin and La

Digue. Aldabra, the world's largest raised coral atoll and a UNESCO world heritage site, is the largest and furthest of the coralline islands, located 1,150km to the southwest.

46. The population of Seychelles in 2009 is estimated at 87, 298 (NSB, 2010). The Seychellois population is of mixed origin from African, European and Asian descent. Christianity is the dominant faith in the country and about 82 per cent of the population is Roman Catholic. Other non Christian religious faiths include Islam, Baha'i, and Hindus. The three national languages are Creole, English and French.

47. Seychelles became a sovereign republic in 1976 after obtaining independence from Britain. In 1977, a year after independence, a one-party socialist state was established. In 1992, multi party democracy was reintroduced after almost 15 years of one-party rule. A Presidential, multiparty political system based on the separation of powers was instituted under a new Constitution in 1993. The ruling party, Parti Lepep, formally the Seychelles People's Progressive Front (SPPF) and previous to that, the Seychelles People's United Party (SPUP) has been in power since 1977. It has 23 seats out of 34 in the current National Assembly. The main opposition party is the Seychelles National Party (SNP) which holds 11 seats. The current President of the Republic of Seychelles is Mr. James Michel.

48. During the eighties and early nineties, Seychelles made remarkable economic and social progress which has been internationally recognized. In the UNDP Human Development Report (2009) Seychelles is ranked 57th out of 182 countries and tops the list of all the Sub-Saharan African countries with a 2007 HDI value of 0.845. In 2008, the per capita income was US\$ 8,960 which placed Seychelles amid top middle income countries (MIC). People centred social policies in health, education and welfare considerably improved living standards affording protection and support for the most vulnerable groups including women and children.

49. The Millennium Development Goals Status report published in 2004 recorded that Seychelles had met most of its development targets. However Official Development Aid declined by 50 per cent between 1990 and 2000 because of the good economic rating.

50. Seychelles, like many other Small Island Developing States (SIDS), shares a number of vulnerabilities including a small human and natural resource base, small internal markets, high dependence on imports, limited domestic resource mobilization potential, physical dispersion and isolation from major trade routes. Seychelles economy is also very dependent on one or two vulnerable industries (including tourism and fisheries). The small land area and mountainous topography of the populated granitic islands do not easily lend themselves to large-scale industries and agriculture. Seychelles relies on imports for almost all raw materials, products, and specialized services. Recently Somali piracy in the Indian Ocean has developed into a major security concern for Seychelles and the region posing a severe threat to the tourism and fisheries sectors.

51. Excessive lending, foreign exchange shortages and restrictions, global food and fuel crises in mid decade 2000 forced Seychelles to embark on a Macroeconomic Reform Programme which considerably curtailed its economic performance. With an external debt of around USD 800 million and the domestic debt around USD 500 million, Seychelles was obliged to turn to the International Monetary Fund (IMF) for assistance in restructuring the economy. The IMF Macroeconomic Reform Programme implemented on 1 November, 2008 consisted of the following elements (Annual Report, Central Bank 2008):

- The liberalization of the foreign exchange market so as to achieve full rupee convertibility, involving removal of all exchange restrictions and flotation of the rupee;
- A reform of the monetary policy framework to create a more market oriented financial system whilst preserving financial stability;

- A significant and sustained tightening of fiscal policy supported by a reduction in public employment and the replacement of indirect subsidies by a targeted social safety net (a tool to maintain social stability);
- A reduction of the role of the state in the economy so as to boost private sector development through further privatisation, enhanced fiscal governance, and a review of the tax regime; and
- A comprehensive debt restructuring strategy aimed at restoring public debt sustainability consistent with the government's ability to pay.

52. It is too early to say what impact the macroeconomic reforms and the liberalization policies will have had on the more vulnerable groups of people including women and children. Steps taken by government to provide additional protection are detailed under relevant articles. Recent Central Bank reports (CBS 2009) and IMF reports (2009, 2010) show that the economy is responding positively to the reforms.

Overview of women in Seychelles: Demographic and social characteristics

53. In 2002, there were 40,751 females in Seychelles compared to 41,004 males. This shows a slightly higher male population (50.2 per cent) compared to females (49.8 per cent) and a sex ratio of 101 males per 100 females. The 2007 population estimates continue to show a higher proportion of men. This is in contrast to previous census reports including those of 1994 and 1997 which recorded a higher female proportion than that of men.

54. The 2002 census report shows that out of the population aged 15 and above, 41 per cent are single, 27 per cent married, and 21.2 per cent cohabiting. Women have a considerably higher life expectancy than men. Latest estimates show women having a life expectancy rate of 77.9 years as compared to 68.4 years for males. Ageing issues will consequently affect women more than they do men.

55. Women in Seychelles continue to bear fewer children and since the 1970s, the Total Fertility Rate (TFR) has dropped from 5.6 children per woman to only 2.4 in 2009. The number of marriages among residents has increased from 301 in 1994 to 450 in 2009 but during the same time the number of divorces more than doubled.

56. The participation rate of women in employment has consistently increased over the years. The public service is staffed predominantly by women (64 per cent in April 2009).

Table 1: Women at a glance

<i>Indicators</i>	<i>Census 1994</i>	<i>Census 1997</i>	<i>Census 2002</i>	<i>Estimate 2009 or latest</i>
Population	74331	75876	81755	87300*
Female Pop	37240	38317	40714	42300
Male Pop	37091	37559	41041	45000
Female Pop (% of total)	50.1	50.5	49.8	48.5
Marital Status (%)				
• Single	40.3		41.0	
• Married	29.3		27.0	
• Cohabiting	20.9		21.2	
% of women Headed Households**	51 (1993)		56 (2000)	57
Av. Household size**	4.3 (1993)		4.1 (2000)	3.7
Life expectancy				
• Male	65.9	65.7	66.6	68.4*

<i>Indicators</i>	<i>Census 1994</i>	<i>Census 1997</i>	<i>Census 2002</i>	<i>Estimate 2009 or latest</i>
• Female	75.8	77.0	75.8	78.9*
Total Fertility Rate	2.6	2.1	2.0	2.4*
Literacy rates				
• Male			91.9	96.0*
• Female			90.1	96.0*
Resident marriages	301	352	428	450*
Divorces	62	89	112	145*
Migrant workers				
• Male				429 (2007)
Female				155 (2007)
Labour Part. Rate				
Male	68.1		77.2	
Female	56.1		67.4	

Source: NSB * Seychelles in Figures 2010 **Household Budget Survey 2006/2007PARTI

III. Application of the Convention

Article 1: Definition of discrimination

57. The Constitution of the Republic of Seychelles which took effect in 1993 is the country's Supreme law and all other laws and policies are subject to it. Article 5 states that 'any other law found to be inconsistent with this Constitution is, to the extent of the inconsistency, void.'

58. Principles of gender equality are enshrined in the Constitution of Seychelles. The preamble to the Constitution which reflects the aspirations of the people proclaims the 'inherent dignity and the equal and inalienable rights of all members of the human family as the foundation for freedom, justice, welfare, fraternity, peace and unity' and reaffirms that these rights include the 'rights to life, liberty and the pursuit of happiness free from all types of discrimination.'

59. The Seychellois Charter of Fundamental Human Rights and Freedoms (Chapter 3 of the Constitution), which incorporates many of the principles of international human rights instruments, guarantees 25 rights equally applicable to both men and women. This comprehensive set of rights is as follows:

Box 1: Seychelles Constitution (1993), Chapter 3: Seychellois Charter of Fundamental Human Rights and Freedoms

Article 15: Right to life
Article 16: Right to dignity
Article 17: Freedom from slavery and forced or compulsory labour
Article 18: Right to liberty
Article 19: Right to a fair and public hearing
Article 20: Right to privacy
Article 21: Freedom of conscience
Article 22: Freedom of expressions
Article 23: Right of assembly and association

Article 24: Right to participate in government
 Article 25: Freedom of movement
 Article 26: Right to property
 Article 27: Right to equal protection of the law
 Article 28: Right of access to official information
 Article 29: Right to health care
 Article 30: Rights of working mothers
 Article 31: Rights of minors
 Article 32: Protection of families
 Article 33: Right to education
 Article 34: Right to shelter
 Article 35: Right to work
 Article 36: Rights of the aged and the disabled
 Article 37: Right to social security
 Article 38: Right to safe environment
 Article 39: Right to cultural life and values

60. Article 27 of the Constitution further states that:

“Every person has a right to equal protection of the law including the enjoyment of rights set out in this Charter without discrimination on any ground except as in necessary in a democratic state.”

61. Article 49 of the Principles of interpretation, defines a democratic society as a pluralistic society in which there is tolerance, proper regard for the fundamental rights and freedoms and the rule of law and where there is balance of power among the executive, legislature and judiciary.

62. The Constitution of Seychelles does not explicitly refer to discrimination against women or define discrimination against women as contained in article 1 of the Convention on the Elimination of All Forms of Discrimination against. Rather it talks in terms of the ‘person’⁵ in general and the ‘individual’. The language of the Constitution of the 3rd Republic is gender neutral, the assumption being that both men and women should be afforded protection from all types of discrimination wherever it exists.

63. The Constitution however recognizes the need for special protection for women in view of their maternal functions. Article 30 thus reads:

“The State recognises the unique status and natural maternal functions of women in society and undertakes as a result to take appropriate measures to ensure that a working mother is afforded special protection with regard to paid leave and her conditions at work during such reasonable period as provided by law before and after childbirth.”

64. The second reference to women in the Constitution is contained in article 18 under the right to liberty and security of the person. Clause 13 states ‘that a female offender or suspect that is kept in lawful custody or detention shall be kept separately from any male offender or suspect.’

65. There are other subsidiary laws and orders relating to education and employment especially that are more explicit on gender discrimination. The principle of non-discrimination in employment is explained in the following terms in the Public Services Order⁶/Parastatal Order 32 on gender equality:

⁵ According to the principles of interpretation Schedule 2, a ‘person’ means an individual or a body corporate.

⁶ Public Administration in Government is guided by administrative Orders entitled, the Public Service

“All avenues of public service in the Public Service will be open to women who are suitably qualified and there will be no difference between the salary or other terms of service of men and women employees of equivalent qualifications and experience, except that maternity protection shall be granted as provided in these Orders...”

66. S 46A (1) of the Employment Act⁷ recognizes discrimination on the grounds of gender in the following terms:

Where an employer makes an employment decision against a worker on the grounds of the worker’s age, gender, race, colour, nationality, language, religion, disability, HIV status, sexual orientation or political, trade union or other association, the worker may make a complaint to the Chief Executive stating all the relevant particulars.”

67. Gender equality reviews of laws conducted over the years to examine compliance with international instruments⁸ have generally concluded that Seychelles Constitution and laws guarantee very good protection for women except in the case of domestic violence currently covered under the sexual assault code, which presents particular challenges.

68. There is no specific reference to violence against women in the Constitution or reference to Gender Based Violence (GBV) as a form of discrimination as noted in the Committee’s general recommendation No. 19(1992). The right to dignity, Article 16 of the Constitution, states that ‘every person has the 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.’

69. Harassment is recognized as an offence and Section 2 of the Employment Act 1995, provides an appropriate definition of harassment to guide practice:

“Harassment” means any unfriendly act, speech or gesture of one person towards another person that is based on the other person’s age, gender..., or otherwise, as would adversely affect the other person’s dignity or make that person feel threatened, humiliated or embarrassed”

70. Seychelles is party to the AU Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa as well as a number of other regional and international instruments that address the issue of GBV including the Beijing Platform of Action, the Convention on the Rights of the Child, the SADC Gender and Development Protocol and the SADC Declaration on Gender and Development and its Addendum on the Prevention and Eradication of Violence against Women. Ratification of these instruments signals Seychelles solidarity and engagement with the global fight against GBV.

71. The Government is conscious of the need to reinforce legislation with regards to domestic violence. In 2008, Seychelles launched its first National Strategy on Domestic Violence 2008-2012 developed through wide consultation with stakeholders. This was a response to the significant rise in the number of cases of domestic violence being reported on in the country, the majority of victims of which were women (further detailed under article 16). The foreword to the national strategy affirms Seychelles commitment to the global campaign against GBV. It recognizes gender based violence ‘as a serious abuse to the rights and freedoms outlined in our Constitution’ and promises ‘real change to people living through this nightmare’.

Orders.’ The Public Sector Orders are Orders of the President and are issued under the President’s authority, by the authority responsible for Public Administration.

⁷ As amended Act 4 of 2006

⁸ Beijing Platform for Action, AU Solemn Declaration

72. The United Nations Development Fund for Women (UNIFEM) is supporting Seychelles in drawing up of a costed National Plan of Action on Gender Based Violence, based on the six pillars of the strategy viz (1) awareness-raising and prevention of GBV; (2) standardized procedures, guidelines and training materials; (3) capacity strengthening of service providers; (4) rehabilitation; (5) legislation, advocacy and lobbying; and (6) coordination, research, monitoring and evaluation. Lessons learnt from the implementation of the strategy will lead to the formulation of a new comprehensive set of laws on gender based violence relevant to the local context and drawing on international good practice.

73. Although the process is lengthy, it is felt the new law on domestic violence based on research and practical experiences will respond to emerging challenges more efficiently and provide comprehensive protection to survivors as well as rehabilitation for perpetrators.

Legal Status of the Convention and incorporation of its provisions in domestic law and policies

74. The process of domestication of international treaties is governed by article 64(4) of the Constitution of Seychelles:

‘A treaty, agreement or convention in respect of international relations which is to be or is executed by or under the authority of the President shall not bind the Republic unless it is ratified by –

(a) An act or

(b) A resolution passed by the votes of the majority of the members of the national assembly’

75. Article 48 of the principles of interpretation further explains that the Seychellois Charter of Fundamental Human Rights and Freedoms (Chapter 3) should be interpreted in such a way so as not to be inconsistent with any international obligations of Seychelles relating to human rights and freedoms. Judges may therefore take judicial notice of :

- International instruments containing these obligations;
- The reports and expressions of views of bodies administering or enforcing these instruments;
- The reports decisions and opinions of international and regional institutions administering or enforcing conventions on human rights and freedoms;
- The constitutions of other democratic states and nations and decisions of the courts and the states or nations in respect of their Constitutions.

76. To date however, there is no record of the Convention having been cited in any judgements of the courts.

Dissemination and translation of the Convention

77. Documentation on Convention including the Convention itself and the recommendations of the committee were widely disseminated to all ministries and key stakeholders during the report writing process. In order to commemorate International Women’s Day on 8 March 2010, and to celebrate the 30th anniversary of the Convention on the Elimination of All Forms of Discrimination against Women, the national newspaper, Nation, carried a full page article on the Convention. A CEDAW special on the Viv Plis TV programme explaining discrimination as contained in the articles of the Convention supported by interviews and examples of everyday situations was also aired on national Television (SBC). This is the first time that the Convention would have been disseminated to a wide public.

78. Women's groups, human rights activists, legislators and members of the judiciary with special interest in women's issues have been exposed to the Convention through training, participation in overseas conferences and study. The Convention has not been translated into Creole, the mother tongue and the local language most widely spoken and used by the population. However, Creole, English and French are all three official and national languages in Seychelles.

79. The SADC Addendum on the Prevention and Eradication of Violence against Children and Women has been translated into Creole by a local NGO, Alliance of Solidarity for the Family (ASFF) and broad details of the AU Protocol were disseminated through a series of community based workshops in every region during 2009 by the Gender Commission of the Liaison Unit for non-governmental Organization (LUNGOS), in collaboration with the Social Development Department. The project was funded by the American Embassy.

80. The Convention on the Rights of the Child is the international treaty which has been most widely disseminated largely through the efforts of the National Commission for Child Protection (NCCP) and the National Council for Children (NCC). A Creole version of the Convention has been developed and booklets on the rights and responsibilities of children of different age groups have been widely disseminated to schools. Large scale sensitization of the Convention has been carried out for school children, teachers, parents, teacher associations and organizations and services working with children including the judiciary (Details are documented in the report under the Convention on the Rights of the Child).

81. An EU Project (Ref: 9.ACP.SEY.003) entitled National Capacity Building Programme for State and Non-State Actors in Seychelles for the Promotion of Human Rights coordinated by the Humanitarian Committee was implemented in 2009. The objectives of the Human Rights component of the project were to strengthen the capacity of police officers in adopting and respecting gender and human rights practices (including codes of conduct, fight against corruption and money laundering) and sensitising the media, the judiciary, and civil society on these issues. Knowledge of human rights treaties including the Convention was an important component of the sensitization and training programme.

82. Under the above project, sensitization and awareness raising programmes were conducted for police cadet officers, media personnel, school staff and communities throughout 2008 and 2009. Twenty six human rights trainers (13 males and 13 females) have been empowered to deliver training in human rights as part of the project. A full list of activities under the project is appended.

83. David Johnson, a regional representative from the Office of the High Commissioner for Human Rights (OHCHR), and OHCHR expert Niraj Dawadi, conducted an Administration of Justice Training Workshop for 33 members of the judiciary, human rights commission and other legally related professions in 2009. Among topics covered were the rights of the child, the rights of women, the right to equality and non-discrimination and the role of the courts in protecting those rights.

Factors and difficulties

84. In spite of the efforts made by Government and the NGOs, many misconceptions about gender and gender rights continue to exist even among professionals working in the area of Human Rights as noted by the Report of Baseline Study on Levels of Awareness and Understanding of Human Rights in Seychelles 2008⁹. The report indicates that 72 per

⁹ An evaluation conducted by Michel Rosalie to gauge the levels of awareness, knowledge and

cent of respondents in the survey stated they were familiar with gender rights, 16 per cent were not familiar and 12 per cent gave dual answers. However definitions and explanations of gender rights given revealed elementary understanding of gender concepts. Respondents stated they had heard about gender rights through (a) workshops, seminars and conferences; (b) reading studies or research; (c) workplace and (d) media.

85. Gender is still considered to be very much a women's issue and men have been reluctant to engage constructively with gender. More evidence based advocacy and research is needed to challenge the misconceptions. The recruitment of prominent male figures as gender advocates is necessary for successful gender sensitization and training in Seychelles.

Article 2- Obligations to eliminate discrimination

Principle of equality

86. As described in article 1, the Constitution of Seychelles which is the supreme law, guarantees equal rights and protection to women and men without discrimination in all areas of political, social, economic and cultural life. Over the years, continuous efforts have been made to review subsidiary laws that are not in conformity with the Constitution or that discriminate against women and children in order to bring them up to international standards and give better protection to women in a modern and evolving society. A committee for the harmonization of laws relating to children and the Convention on the Rights of the Child (which also has bearing on women and family life) was set up and has made numerous recommendations.

Legislation

87. By the early 1990s, most of the discriminatory provisions in laws had been repealed. The de jure assessment reveals very few minor inconsistencies (detailed under the relevant articles) which are receiving the attention of policy makers and legislators. Laws on prostitution, trafficking, and Gender Based Violence however need to be further revamped and modernised to reflect current realities, remove ambiguities and provide greater protection to women. Steps being undertaken in this direction are described under articles 9 and 16. Government efforts to fight the scourge of domestic violence are also detailed under article 16.

88. Table 2 illustrates some of the more recent laws which have had an impact on women and children.

Table 2- Recent laws and their impact on women

<i>Legislation</i>	<i>Impact</i>
The Children Act 1982, Cap 28 (Amended in 1998)	Makes provision for the creation of a Family Tribunal to tackle problems of custody, care and maintenance of children because of the rising numbers of single mothers and children born out of wedlock. It allows for a parent to claim maintenance from a defaulting parent for financial support of a child. An amendment to the Act in 2005 makes provision

understanding of human rights of the general population in Seychelles.

<i>Legislation</i>	<i>Impact</i>
	for extended maintenance to be paid to support children between the ages of 18-21 pursuing further studies.
	A unique feature of both Acts allow for automatic deduction of alimony from the defaulting parent's salary via the employer.
	Services of the Family Tribunal are free.
Family Violence (Protection of Victims) Act 2000	The Family Violence (Protection of Victims) Act offers protection to victims of "family violence", through protection orders. It can also prohibit the respondent from taking possession of movables such as furniture and household effects. The Act does not impose penalties for domestic violence but rather for the breach of a protection order. A person who contravenes an order made under the Act is liable on conviction to a fine of SCR 30,000 or to 3 years imprisonment or to both.
Reg. 16(1) Employment (Conditions of Employment) Regulations, 1991. Maternity leave. Employment Act 1995	Makes provision for paid maternity leave of 14 weeks and 4 weeks unpaid leave for all female workers in full time or part time employment. (Paid maternity leave has risen from 8 to 14 weeks over the period 1994-2009)
Reg. 16 (2) Employment (Conditions of Employment) Regulations, 1991 ¹⁰ : Maternity leave	Regulates overtime and night duty work for women from the time they are six months pregnant up to three months after confinement.
Maternity protection: Reg. 23	Makes provision for job transfer without loss of wages upon production of a medical certificate if current work is detrimental to the health of mother and child.
1996 Amendment to the Penal Code 130-153	Makes it easier to prosecute sexual abuse offenders. Increases chances of conviction on evidence of victim and without the need for corroborating evidence. Allows for prosecution for rape within marriage or

¹⁰ Employment Act, 1995

<i>Legislation</i>	<i>Impact</i>
	relationships.
Evidence Amendment Act 1995	Makes it possible for victims to give evidence in chambers and via TV accompanied by friends and relatives for emotional support.
Termination of Pregnancy Act 1994	To safeguard the health of a pregnant woman or prevent the risk of physical and mental abnormalities in the child, Section 3 of the Act enables a gynaecologist on the recommendation of a panel of three medical practitioners to terminate a pregnancy.
Section 3	
Section 4	When the court determines that the pregnancy is the result of rape, incest or defilement, Section 4 enables a gynaecologist to terminate the pregnancy.

Policies and strategies

89. Although the country does not currently have a national gender policy, the National Population Policy for Sustainable Development (2007) and its Plan of Action and the Social Development Strategy for Seychelles Beyond 2000, reaffirm the need to promote gender equality and equity and to integrate gender into all economic and social policies and plans at all levels. The main objectives of the Social Development Strategy are:

- (a) To alleviate poverty;
- (b) To realize distributive justice;
- (c) To enhance popular participation; and
- (d) To ensure an integrated approach to social development.

Effective mainstreaming of gender is recognized as a key strategy for achieving the objectives.

90. In 2007, the Ministry of Health and Social Development launched the National Strategy for Domestic Violence 2008-2012. Its objectives are to:

- (a) Strengthen and synthesise activities of multi-stakeholders for an integrated and efficient response to domestic violence;
- (b) Reduce vulnerability of women and men to domestic violence, both victimisation and perpetration;
- (c) Reduce impact of domestic violence on children; and
- (d) Nurture an environment conducive to improved gender equality and equity.

91. The National Strategy makes provisions to:

- (a) Understand the extent, causes and consequences of domestic violence in Seychelles;
- (b) Strengthen legislation and legislative structures on domestic violence;
- (c) Strengthen police response to domestic violence cases;

- (d) Enable an integrated and efficient response of multiple service providers to domestic violence;
- (e) Monitor and evaluate implementation of National Strategy;
- (f) Advocate for integrated data management between multiple sectors;
- (g) Risk management as short-term prevention strategy;
- (h) Rehabilitate perpetrators and victims of domestic violence;
- (i) Temporary protection and shelter of high-risk victims;
- (j) Overlap of risk management between intimate partner violence and child abuse;
- (k) Public education campaigns as long-term prevention strategy; and
- (l) Advocate for the revision of SBC's policy on violence.

92. The costed Action Plan detailed under article 16 provides the framework for turning the strategies into action.

Protection and remedies

93. There are a number of remedies for women whose rights have been violated. Article 46 of the Constitution, Remedies for the infringement of the Charter, provides for application to the Constitutional Court for redress where a provision of the Charter has been or it is likely to be contravened. Statistics from the Constitutional Court show that for the period 1994- 2009, 15 cases have been filed by women as compared to 66 by men.

94. The Public Officers' Ethics Act, 2008¹¹ was enacted to promote ethics in the public service, strengthen good governance and eradicate corruption:

*"A public officer shall carry out his duties in accordance with the law and give due recognition to the fundamental rights, freedoms and duties specified in Chapter III of the Constitution."*¹²

95. Section 16 of the Act makes it an offence to sexually harass a fellow public officer or a member of the public.¹³ Section 20 establishes a Public Officers' Ethics Commission which investigates and determines whether a public officer has breached the Code of Conduct and Ethics.¹⁴ In the event of a contravention of the Code, the Commission refers the matter to the appropriate body or person for appropriate disciplinary action.¹⁵ If after investigation the Commission is of the view that civil or criminal proceedings ought to be considered, it shall refer the matter to the Attorney General or any appropriate authority¹⁶.

96. Article 96 of the Penal Code also provides for protection against discrimination in the public service:

"Any person who, being employed in the public service, does or directs to be done, in abuse of authority of his office, any arbitrary act prejudicial to the rights of another is guilty of a misdemeanour and is liable to imprisonment for 3 years."

¹¹ Act 14 of 2008

¹² Part I Seychellois Charter of Fundamental Human Rights and Freedoms; Part II Fundamental duties; Part III State of Emergency & Savings; Part IV Remedies; Part V Principles of Interpretation

¹³ S 16 Public Officers' Ethics Act, 2008

¹⁴ S 20(1) The Public Officers' Ethics Act, 2008

¹⁵ Ibid.

¹⁶ S 23 The Public Officers' Ethics Act, 2008

97. Protection from discrimination is further provided under the Employment Act 1995 which applies to all workers in the public and private sector. S 46A (1) Employment Act¹⁷ states:

“Where an employer makes an employment decision against a worker on the grounds of the worker’s age, gender, race, colour, nationality, language, religion, disability, HIV status, sexual orientation or political, trade union or other association, the worker may make a complaint to the Chief Executive stating all the relevant particulars.”

98. Under S 77(2) of the Employment Act¹⁸, persons convicted of offences under S 46A(1) and S 46B of the Employment Act¹⁹ are liable to a fine of SCR 40,000. If the offence is of a continuous nature after conviction, the person convicted is guilty of a further offence for everyday the offence is continued and is liable to a mandatory penalty of SCR 400 in addition to any penalty imposable for the further offence.²⁰ Where an offence of which an employer is convicted relates to or affects more than one worker, the fines and mandatory penalty imposable may be imposed in respect of each worker.²¹

99. S 73A of the Employment Act 1995 Schedule 6²² provides for the composition; jurisdiction; powers and other matters relating to the Employment Tribunal.

Public institutions

100. The Ombudsman and the Public Service Appeals Boards are the two main human rights bodies established under the Constitution in articles 143-144 and 145-148. The Ombudsman is appointed by the President from candidates nominated by the Constitutional Appointments Authority²³ and serves a term of seven years which is renewable. The Ombudsman is not subject to the direction or control of any person or authority in the discharge of his/her functions. The ombudsman has the power to:

- Investigate corruption in the public service;
- Assist persons whose constitutional rights have been affected;
- Join in a case concerning the breach of fundamental rights; and
- Take up a case to declare a law unconstitutional.

101. Anyone can ask the Ombudsman to take up an investigation. The Ombudsman can investigate any public authority up to and including the President but may not investigate the performance of any judicial function or a person performing a judicial function. If the ombudsman is satisfied that the complaint is justified, the Ombudsman sends a report and recommendations to the relevant authority and copies it to the minister in charge. If the recommendations are not acted upon, the Ombudsman can send these together with observations to the President or National Assembly. He/she must report the result back to the person who lodged the complaint. The ombudsman must also submit an annual report to the national assembly on the functioning of the office.

102. The post of Ombudsman has been occupied by male candidates as from 1993²⁴ Statistics obtained from the Office of the Ombudsman show that out of the 559 cases

¹⁷ As amended Act 4 of 2006

¹⁸ Ibid.

¹⁹ Ibid

²⁰ S 77(3) Employment Act

²¹ S 77(4) Employment Act

²² As amended by Act 21 Of 2008

²³ A system for appointing non-elected high ranking officers in an independent manner

²⁴ The first female ombudsman was been appointed in 2010.

investigated by the Office of the Ombudsman for the period 2004-2009, a total of **257** complaints (45.9 per cent) were lodged by females. This shows that women, to an almost similar extent as men, have recourse to the Ombudsman. Discussions held with an officer in the Ombudsman's office reveal that women in general complain about employment, housing and land matters. In the last 12 years, she could recall only three cases of sexual harassment reported at work and one case of unequal pay for similar work which was satisfactorily resolved.

103. The Public Service Appeals Board (PSAB) hears complaints by persons aggrieved in relation to appointments, promotions, terminations, qualifications and disciplinary proceedings in the public service. The PSAB can direct the public authority concerned to take appropriate action as specified in the order within the time specified and where the public body fails to comply make a report to the national assembly. The PSAB is also required to make an annual report to the national assembly on its performance.

104. The PSAB has the power to compel the attendance of witnesses, examine witnesses on oath, examine relevant records and inspect any premises. The PSAB Board is made up of three members, the President and the Leader of the Opposition each appoint one and the third (Chair) is appointed by two members. The board has been chaired by a male since its inception. No sex disaggregated data is available from the PSAB. The Department of Public Administration reported receiving nil complaints related to sexual harassment or gender discrimination for the review period.

105. The Protection of Human Rights Act (2009)²⁵ recently enacted, establishes the National Human Rights Commission whose functions include the power to inquire into allegations of human rights violations; review of safeguards for the protection of human rights and recommend actions to alleviate factors or difficulties inhibiting the enjoyment of human rights²⁶. The National Human Rights Commission has currently three male members. No statistics are available as of yet.

Factors and obstacles

106. Records from the Office of the Ombudsman, the Constitutional Court, the PSAB and Employment Tribunal are not routinely sex disaggregated or categorized by nature of complaint. It is therefore difficult to draw firm conclusions on the effectiveness of the institutions in addressing women's rights.

107. A report on a Baseline Study on levels of Awareness and Understanding of Human Rights in Seychelles (Rosalie 2008) showed that the Ombudsman was rated in the 10th position and the PSAB in 17th position when participants in the survey were asked to rank institutions ensuring respect for human rights. Two explanations were advanced. (1) a lack of knowledge by the average Seychellois of the functioning of these institutions and (2) institution not seen as operating in areas that concern human rights.

108. There are very few reported cases of sexual discrimination or harassment lodged by women. Procedurally, this is investigated at the level of the Principal Secretary and directions are given to the employees to redress any problems. It is believed that some of the cases of sexual harassment/discrimination are hidden under the guise of unfair/unjustified termination of employment. It is also felt that many cases go unreported because of ignorance of laws and policies, fear of reprisal and the reluctance of victims as well as witnesses to come forward officially.

²⁵ Act 3 of 2009

²⁶ SS 3 & 6 Protection of Human Rights Act, 2009

109. More sensitization and training are necessary to break the silence on issues such as sexual harassment at work in the same way that Government is tackling the issue of domestic violence. Employers must be encouraged to develop appropriate workplace policies guided by the Public Service Ethics Code. Government and NGOs will need to put more effort into appropriate training and sensitization for all categories of staff including men. The National Plan of Action on Gender Based Violence provides a comprehensive response to all forms of GBV. Funding is crucial for successful implementation of the plan.

Article 3: Advancement of women

110. The legislative framework for the protection and advancement of women has been described under articles 1 and 2. This Chapter will concentrate on the national machinery for the implementation and mainstreaming of gender and describe some of the activities undertaken by various national gender committees over the last seventeen years. It will also address the queries of the Committee on the Elimination of Discrimination against Women regarding the role and functioning of the Social Development Department and the coordinating and monitoring mechanisms being put in place to reinvigorate the National Gender Management Team (NGMT).

111. Seychelles does not have a designated ministry or department of women or gender affairs. Issues related to the promotion of women and gender quality has historically been under the responsibility of gender units, portfolios or secretariats which have been located in different Ministries over the years. Support programmes and services for women, children, the disabled and other vulnerable groups including men within society are provided by different sections under the Social Development Department. Their mandates are described below. A number of non-governmental organizations and Church groups (described under article 7) also play important roles in providing services and support to women and children.

112. The first national gender focal point was established in 1992 under the Ministry of Foreign Affairs, Planning and Environment (MFAPE). This initiative was spurred by the publication of two major UNDP studies which formed the basis for the development of a Human Resources Development Plan and a national gender strategy and programme. The Human Resources Development Plan (1994-2000) was developed to address the critical shortage of skilled manpower and encourage the entry of women into the labour market.

113. Responsibility for the gender portfolio was transferred to the Ministry of Administration and Manpower in 1995. Three strategic focal points were designated for mainstreaming gender into the HRD process. The Ministry of Foreign affairs, Planning and the Environment (MFAPE), the Ministry of Administration and Manpower (MAM) and the Seychelles Institute of Management (SIM). The MFAPE was responsible for the integration of gender into policy formulation and planning and coordination of gender mainstreaming including sourcing of funds. MAM was responsible for ensuring the integration of gender within all HR development programmes at sectoral level and the SIM's role was to strengthen gender capacity and develop competence at organizational level through its role as an in-service training and management development institution. Instead of creating new mechanisms for gender, responsibility for gender mainstreaming at the institutional level was to be designated to HRD units within each ministry.

114. The plans for integration of gender had some degree of success due to the commitment of a few dedicated women and the synergy created by the Beijing Conference but suffered from lack of skilled personnel and funds in the HRD units to fully operationalize the programme. Coordination at the national level also suffered from movement of key people, lack of clear mandates of the various focal points and government

restructuring. Responsibility for gender was transferred to the Ministry of Social Affairs and Manpower Development in 1998.

115. In 2001, portfolio responsibility for gender was again transferred to the Social Development Division within the Ministry of Social Affairs and Employment. It was staffed by one person. The gender unit underwent several more structuring phases and is now housed within the Ministry of Health and Social Development.

Box 2: Gender portfolio locations

- Ministry of Foreign Affairs, Planning and Environment (1992-1995).
- Ministry of Administration and Manpower Development (1995-1998). Sharing with:
- Ministry of Foreign Affairs, Planning and Environment (international liaison point)
- Ministry of Social Affairs and Manpower Development, Seychelles Institute of Management (1998-2001). Portfolio also shared with:
- Ministry of Economic Planning (policy and planning level)
- Ministry of Foreign Affairs (international liaison point and sources of funding for projects).
- Ministry of Social Affairs and Employment, Social Development Division, gender unit (2001-2005)
- Ministry for Health and Social Services, Gender Secretariat.(2006)
- Ministry for Health and Social Development, Gender Secretariat (2007 to present).

116. Following high level lobbying efforts in 2005, the gender unit received a tenfold budget increase in 2006, facilitating the employment of two more fulltime staff members. The unit is currently known as the Gender Secretariat and is housed within the Policy Planning section of the Social Development Department of the Ministry of Health and Social Development²⁷. It is staffed by two full-time Senior Research Officers (one male and one female) and reports directly to the Principal Secretary for Social Development.

117. The role of the unit is to act as the permanent lead agency within the Gender Management System (GMS), with the purpose of improving the quality of life of all Seychellois by promoting gender equality and equity for a just and sustainable society. The goal of the Secretariat is to facilitate gender mainstreaming in all policies, programmes, and activities of the government, the private sector and civil society.

118. The key functions of the Gender Secretariat are to:

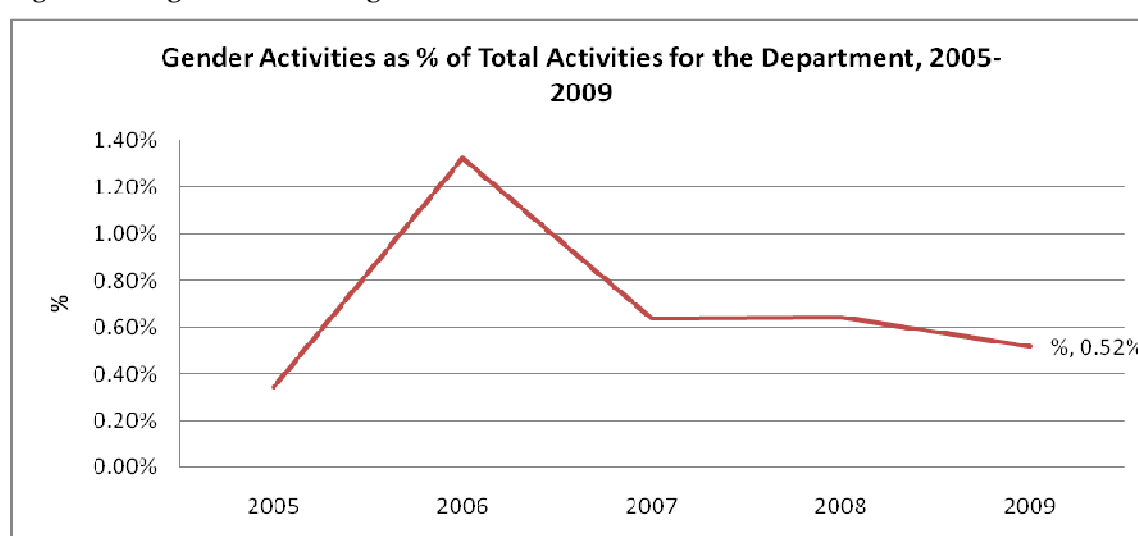
- Initiate, strengthen and institutionalise the GMS;
- Be responsible for the overall coordination and monitoring of the GMS;
- Play a strategic and catalytic advocacy role, by introducing critical gender concerns into the policies, plans, programmes at all levels;
- Develop national policy guidelines for gender mainstreaming;
- Ensure that key targets and indicators on the status of women and men are set, agreed upon and met;

²⁷ Please refer to appendix for Department organigram

- Lead the overall monitoring and evaluation of the impact of the gender mainstreaming process;
- Manage the flow of information on gender issues and communicating policy changes and results; and
- Facilitate capacity-building for gender mainstreaming.

119. The Social Development Division (later known as the Policy Planning Section) was first awarded a separate vote for gender in 2005. The gender vote has risen from SCR 25,000 in 2005 (which represented 0.34 per cent of the total budget for Other Charges for the entire department) to SCR 66,000 in 2009 (0.52 per cent of total Other Charges budget for department). See graph below. Additional separate votes are also shared between the Gender Secretariat and the Population Unit housed within the same section e.g. workshop/seminars, printing and stationery, transport costs, local consultancy fees.

Figure 1: Budget allocation for gender activities from 2005-2009



Source: Social Development Department, Administration and Finance Section

120. The Gender Secretariat is responsible for some activities under the UNFPA Country Programme 2008-2011. Funding has been provided for activities such as the commemoration of International Women's Day, International Day for the Elimination of Violence against Women and other activities related to domestic violence.

121. Some of the activities of the Gender Secretariat from 2005 to 2010 are listed below:

- Developed a gender mainstreaming approach, adapted from the Commonwealth Gender Management System model in 2005;
- Initiated the first stage of a nationwide gender situational analysis through the former National Gender Steering Committee and the Ministry of Health and Social Services Gender Committee in 2005;
- Commissioned a play on domestic violence held at the International Conference Centre of Seychelles (ICCS) in 2005;
- Conducted the Domestic Violence National Survey in 2006;
- Organized sensitization and gender training in collaboration with partners;
- Reported on the implementation of the AU Solemn Declaration on Gender equality in Africa in 2007;

- Formulated and launched the National Strategy for Domestic Violence 2008-2012.
- Conducted a situational analysis of the current institutional response to domestic violence in 2008;
- Launched the Gender Secretariat's website (www.genderseychelles.gov.sc) in 2008.
- Led the Government of Seychelles to join the UN Secretary General's campaign UNiTE to End Violence Against Women in 2008;
- Organized annual commemoration activities for International Women's Day and 16 Days of Activism (incl. Minister's official message, sensitization forums, leaflets, posters, poster/essay/public speaking/poem competitions, TV spots, banners, radio and print media campaigns etc.);
- Supported the African Development Bank (ADB) study on Gender Socialisation and Boy's Achievement in Primary and Secondary School in 2009;
- Supported the institutionalization of other GMS structures; National Gender Steering Committee (NGSC) and National Gender Management Team (NGMT);
- Supported the development and implementation of the National Gender PoA 2010-2011;
- Supported the development and implementation of the National Gender Communications Strategy 2010-2011;
- Acted as Secretary to the former NGSC and now the NGMT;
- Contributed to several international and regional gender related studies;
- Networked with international and regional partners for gender activities;
- Sought funding for gender activities from bilateral and multilateral donors;
- Supported a UNIFEM commissioned development of a costed Plan of Action for Gender Based Violence for Seychelles 2010-2011; and
- Supported the first Government representative from Seychelles to attend the 54th session of the Commission on the Status of Women (CSW).

National Gender Steering Committee

122. The Ministry of Foreign Affairs, Planning and Environment set up the first multi-sectoral National Gender Steering Committee (NGSC) in February 1994, which was chaired by a representative from Health. The role of the NGSC was to guide and monitor the national gender mainstreaming strategy and the Human Resource Development Plan 1994-2000, as well as prepare the country paper for the Fourth World Conference on Women, to be held in Beijing 1995.

123. The National Gender Steering Committee was suspended in 1999 pending government restructuring and the establishment of the Social Development Division within the Social Affairs Department that would hold the portfolio for gender. Following pressing gender concerns, an Interim Gender Committee was set up in April 2001.

124. The National Gender Steering Committee (NGSC) was re-established on 8 March 2004 under the new Minister for Social Affairs and Employment, chaired by the Principal Secretary for Social Affairs with the gender unit acting as secretary. The mandate of the NGSC included coordinating gender activities at all levels in Seychelles and developing a national gender policy. When it was re-established, the NGSC consisted of 26 members

(representing government, private and civil society sectors), but continued to have problems with poor attendance and low levels of stakeholder commitment and ownership. The NGSC became inactive as of 2007 mainly due to these reasons.

125. The national gender committees have always had a policy of gender balanced membership. Continued efforts to attract more men were thwarted by the lack of men with an interest or background in gender and the dominant social belief that “gender” is a “woman’s” issue. Statistics from the minutes of meetings reflect the low levels of participation of men on the various committees in the past (see graph in appendix 4).

National Gender Management Team (NGMT)

126. In June 2009, the Ministry for Health and Social Development launched the National Gender Management Team (NGMT), chaired by the Principal Secretary for Social Development, with the Gender Secretariat acting as the secretary. The team consists of 15 representative members from key government, private and civil organizations (11 women and 4 men). Currently meeting on a monthly basis, the team’s Terms of Reference includes supporting the Gender Secretariat in; reviewing the gender mainstreaming approach; developing the National Gender Policy and Plans of Actions; reporting obligations; and seeking funding.

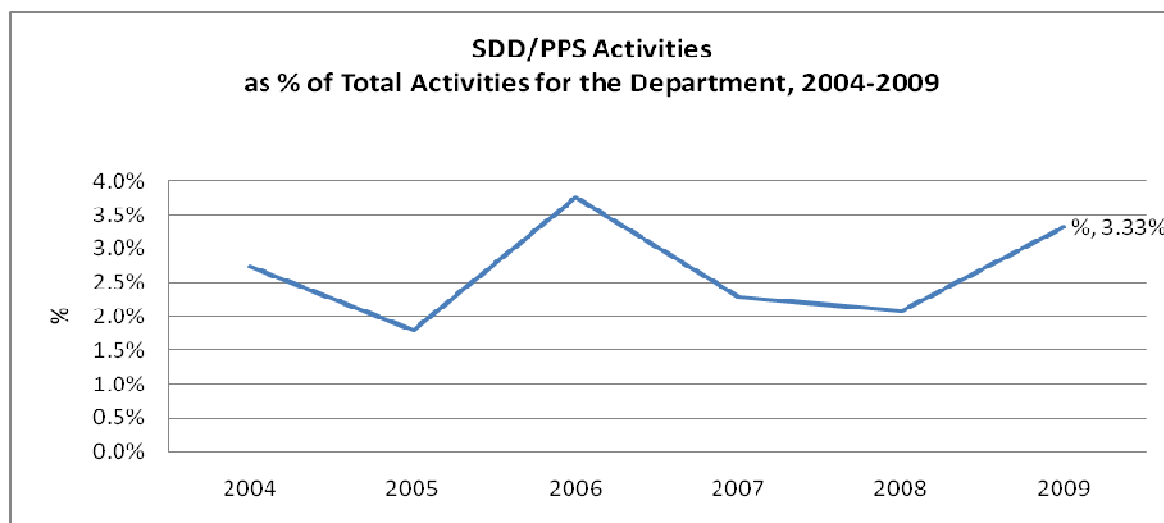
127. In October 2009, the NGMT adopted a Plan of Action 2010-2011 and a Communications Strategy 2010-2011 (attached in appendix 5). Despite attempts to attract more men, there are only two male and 13 female members on the team (13 per cent men and 87 per cent women).

128. Lessons learnt from the past are helping to give the new NGMT a more focused role in support of gender. Strategic partnerships are also being developed with the NGO Sector. The Secretary General of the Women’s Commission of LUNGOS is a member of the NGMT.

Status and function of Social Development Department and its current level of funding

129. The Social Development Division (SDD) was created in 2001 under the Ministry of Social Affairs and Employment to monitor the implementation of all government policies, programmes and strategies related to social development. One of its key priorities was the formulation of the country strategy and the National Plan of Action on Social Development 2005-2015 (NPASD) in collaboration with all stakeholders based on the recommendations of the World Summit for Social Development (WSSD). In 2007, following a restructuring exercise and the abolition of divisions in some ministries, SDD was restructured to become the Policy Planning Section and the department was renamed Social Development from Social Services.

130. The budget for the Social Development Division and later the Policy Planning Section has remained relatively stable, representing 2.73 per cent of the total budget for activities for the Social Affairs Department in 2004 (SCR 163,000) and 3.33 per cent of the total budget for activities for the Social Development Department in 2009 (SCR 384,000). See graph below for more details

Figure 2: Budget allocation for Social Development Division/ Policy Planning Section

Source: Social Development Department, Administration and Finance Section, 2010

131. The vision of the department is to create a society where all individuals and families enjoy a good quality of life and its mission is to:

- Empower individuals and families to reduce dependency;
- Safeguard the interest and promoting the well-being of children;
- Integrate and protect marginalized and vulnerable groups; and
- Adopt an integrated and evidence based approach to development;

Social Services Division

132. The Social Services Division is a service oriented division under the department that has the responsibility to promote the well-being of children, families, disabled persons and persons placed on probation orders. Its overall objectives are the maintenance of society, restoration of social functioning and alleviation of social problems. It consists of the following sections:

- (a) Legal Services and Child Protection;
- (b) Community Social Work; and
- (c) Probation Services.

Legal services and child protection

133. The Legal Services Unit was set up in 1997 and its function is to represent the Ministry before the Courts in matters concerning children and family. Some of the main issues it deals with are custody, maintenance, guardianship, foster care, access, adoption and interdicted person's property. It provides reports to courts and the Family Tribunal on areas mentioned above, as well as providing guidance and counselling to families on children's issues. Laws giving protection to children and families are scattered under several pieces of legislation, namely, The Constitution of Seychelles, The Children Act, The Penal Code, The Civil Code and The Criminal Procedure Code.

134. A multi agency committee, the Social Services Committee made up of representatives of Social Services, Health Department, Ministry of Education and the

National Council for Children meets on a weekly basis to consider the reports and make recommendations.

135. The Child Protection Unit was set up in October 1999. The Unit's aim is to work in partnership with other child protection partners to protect children from sexual, physical, neglect and emotional abuse. The Unit is also responsible for the overall coordination and investigation on all child abuse cases, in collaboration with the Family Squad of the Seychelles Police, and all other partners. Among the services it provides are counselling and guidance for abused children and their families, registration of children who are at risk and preventive work especially in relation to child abuse. The Legal Services and Child Protection section has a total of nine staff all of whom are female.

136. Child Protection work requires good inter-agency cooperation. In 1996, the Inter-Agency Committee was set up to strengthen this cooperation. The Committee meets on a fortnightly basis and is comprised of representatives from Social Services, Seychelles Police, Health Department, Ministry of Education and National Council for Children. In 1997, the committee adopted a document entitled 'Working Together' which outlines procedures for Inter-Agency cooperation on protection of abused children.

137. The number of child abuse cases especially sexual abuse being reported has increased significantly over the years. This may be the result of effective campaigns mounted to break the silence over child abuse. The report under the Convention on the Rights of the Child carries a full report of activities undertaken. Statistics for the year 2009, gathered by the Child Protection Unit show that out of a total of 164 reported cases, 61 per cent were reported cases of sexual abuse, in which 80 per cent of the victims were females. The average age of victims was 14 years old highlighting the fact that children in their early teens were the most vulnerable and targeted group. Most of the cases reported were from the central region of Mahe which has some of the most densely populated regions and a greater proportion of social problems.

138. Cases are dealt with in various ways through Social Services; follow up at community level or through police assistance. Case status statistics for 2009 show that 71 per cent of the cases were under investigation by the police and 22 per cent were being dealt with by the Social Services.

Community Social Work Section

139. Since 1993, social work has been decentralized to ensure closer links with the community and facilitate collaboration with other partners in the field. All district administration offices (described under article 15) have a social worker attached to them. Out of the 27 social workers, 26 are female. Social workers work with vulnerable groups in the community including children and senior citizens to alleviate social problems and restore social functioning. Some of the main issues dealt with are absenteeism, domestic violence, substance abuse, mental health, placement, truancy, anti-social behaviour, teenage pregnancy, and neglect.

140. Social workers pay regular visits to schools, health centres and police stations of their respective districts as part of their work. They man the Children's helpline on a 24 hour basis as well as doing case management. The priorities of the section are (a) improved networking; (b) preventive work, (c) promoting professionalism and (d) improving quality of service delivery.

Probation

141. Probation Services was formed in 1966 following the enactment of the Probation of Offenders Act. It sees its role as advising; assisting and befriending people placed in its

care and attends to clients referred to by the courts or Tribunals as well as those who come on a voluntary basis for assistance.

142. Its mandates are derived from the *Matrimonial Causes Act*, *Protection Order by virtue of Family Violence (Protection of Victims) Act (2000)*, the *Probation of Offenders Act (1966)*²⁸, *Prison Act (1991)*²⁹ and the *Children Act*. Accordingly it provides reports to the courts on reconciliation efforts and also assists married couples and those in relationships to reach amicable settlements in property and other matters. It counsels victims and perpetrators of family violence and submits reports to the Family Tribunal. Probation Services also has the mandate under the Children Act to deal with juvenile cases. Interventions are planned with social workers, parents and other informant agencies (see procedures in annex).

143. A Principal Probation Officer (male) assisted by a Senior Probation Officer (female) oversee the Probation Services and Family Centre. An Assistant Probation Officer (female) has responsibility for two outreach stations on Praslin and la Digue. Probation Services has a total of 6 Probation Officers (five females and one male) and five Assistant Probation Officers (four females and one male).

144. The Family Tribunal Secretariat is also housed under the Social Development Department. It has a permanent staff of 32 (28 females and 4 males) including 3 full time Tribunal Board members (two males and one female). In 2005, it had a total of 28 staff and no full time board members. The functions of the Tribunal Board are discussed under articles 2 and 16.

The National Council for Children (NCC)

145. The National Council for Children is a statutory body set up to promote the well being of the child as laid down by the Convention on the Rights of the Child. The Council provides education, advocacy and therapeutic services to children up to 18 years, and also works with the family. Funding is provided both by the state and fund raising activities.

146. The NCC provides sensitization workshops on Domestic Violence, Child Protection, Human Rights and Parenting to empower both men and women although mostly women attend the sessions. Parenting programmes and spots on the media also target men and women. The NCC also provides psychological, counselling and therapeutic services for families whose children have been abused. It is mostly women who accompany the children on such visits. A fuller report of the activities of the NCC in relation to the protection of Children's Rights is contained in the report under the Convention on the Rights of the Child.

Article 4: Acceleration of equality between men and women

147. There are no 'special measures' as defined by the Convention on the Elimination of All Forms of Discrimination against Women in the Constitution and Laws of Seychelles. The use of temporary quotas, reserved places or affirmative action is not current practice. Government's position to date has been to pursue its equality mandate through legislative and policy frameworks by amending discriminatory laws and ensuring that men and women are provided with equal opportunities to advance in all spheres of life.

148. Article 27(2) of the Constitution of Seychelles however does not preclude the need for positive discrimination defined as 'any law, programmes or activity which has as its

²⁸ Cap 184

²⁹ Cap 180

object the amelioration of the conditions of disadvantaged groups'. This has been interpreted as giving special protection to vulnerable groups such as women, children, the elderly and the disabled.

149. Article 30 of the Constitution recognizes the unique status and natural maternal functions of women in society and guarantees special protection including paid leave for working mothers. Article 31 recognizes the right of children and young persons, in view of their immaturity and vulnerability, to special protection in relation to work and against social and economic exploitation and physical and moral dangers. Article 36 makes provision for improving the quality of life through programmes for the elderly and disabled (see relevant excerpts in appendix 6).

150. To date, neither the Government nor the political parties have considered it necessary to introduce any quota systems for ministerial positions, national assembly members, and positions within the party structure or other posts in the public service. There are no legal barriers to women's participation in political, economic and social activities and women, compared to other countries in the region, enjoy a high profile in society.

151. In the light of new evidence about persisting gaps in specific areas such as political participation, decision making positions and job stereotyping, temporary special measures may be one option that the government could consider. International best practice has shown temporary quotas to be a practical and effective way of meeting targets and closing gender gaps. It has been used successfully by some African countries in the SADC region to increase the participation of women in decision-making positions. Seychelles is in the process of ratifying the SADC Protocol and is committed to meeting regional targets such as 50 per cent participation in political and decision making positions by 2015. It is difficult to envisage how this target can be met without the introduction of temporary measures.

152. This move would require careful researching. Seychelles is a very small multi-racial community with unique gender dynamics. Gender roles, relations and attitudes are inadequately researched and myths about the relative superiority/inferiority of women and men abound. Public acceptance for special measures is low. There is a common perception that Government policies and services are currently very pro-women. The introduction of special measures without appropriate advocacy and sensitization programmes may produce a harmful backlash.

153. Government's preferred option would be to intensify its advocacy, support and training interventions to help women bridge the gaps where they exist. Top decision making positions in the country including Ministerial and Constitutional appointments are made by the President and the Constitutional Appointments Authority with the approval of the National Assembly. The most senior positions in the civil service, judiciary, and parastatals including membership on Boards and Commissions are made by the President or Ministers. There is thus a greater need to gender-sensitize all appointing authorities, advisors and members of the National Assembly.

154. The availability of timely and updated gender disaggregated statistics and qualitative research for the preparation of advocacy briefs is crucial. The capacity of local women NGOs to engage in research and advocacy work is currently limited (see article 8).

Article 5: Sex roles and stereotyping

Stereotyping

155. Women and men's status and position in the public and private sphere in Seychelles remain unequal in some areas like in most other countries in the world in spite of facilitative legislation and frameworks. Traditional expectations of roles of men and women

in the home and public life in *some* segments of the society continue to undermine government's efforts at promoting equal opportunities. Although there is a serious lack of research in the area, small scale surveys conducted by Social Development Department, Health, Education and NGOs such as GEM Plus point to the harmful conceptions of masculinities and femininities which do not promote gender equality. These are not easy to dispel since they are largely unconscious and unintentional.

156. Seychelles society is said to be matriarchal and the women to wield great influence in the home and in the public sphere. 57 per cent of households according to the latest Household Budget Survey 2006/2007 are women headed. Although the number of women holding high office is gradually increasing, a closer look at realities show that women headed households have a higher dependency rate and poverty is more prevalent among women.

157. Inequalities in the home still exist and women bear the brunt for household work and child care. The results of a small qualitative study on 'Gender Socialisation in the Home: its Impact on boys' achievement in primary and secondary schools' (2009) commissioned by Social Development Department and funded by the African Development Bank, revealed that gender roles are still divided along traditional lines. Mothers were the most visible figure in the family and were heavily involved in household chores and child care.

158. Traditional beliefs about the father as head of household and breadwinner were deeply entrenched although alternative models of more egalitarian partnerships were slowly emerging among the better educated families. Students from a very young age had very stereotyped notions of masculinity and femininity. The image of the man as the provider and protector was deeply entrenched in boys and girls psyche. Girls were positioned as weak and dependent despite the positive image projected by the girls in school.

159. The rising trend in domestic violence is attributed to unequal power relationships in the home. It is presumed that many men feel threatened by women's economic and social empowerment and resort to violence in the home to resolve conflicts. Alcohol and drugs related problems perhaps leading to a reduced sense of self also aggravate the problem. Women in dual career families seemed unable to negotiate more equitable sharing of responsibilities in the home because of cultural norms and stereotyped expectations of the role and position of women. These initial findings from small scale surveys and perceptions need to be tested by more in depth qualitative studies involving men and women to determine exact causes for strained relationships.

160. The school and the media are two important agencies that can help to challenge or reinforce stereotyping. 97 per cent of households are reported to own a TV set according to the Household Budget Survey 2006/2007.

161. GEM Plus a local NGO affiliated to Gender and Media Southern Africa (GEMSA) was set up in 2003 to promote diversity in media reporting and challenge gender stereotyping and discriminatory use of language and image in the media. It fulfils its mandate through research, advocacy, and awareness raising and training at local and regional level. Since its inception, it has conducted several workshops for media practitioners, police officers, and non-governmental organizations as well as contributing articles regularly to both national and regional press.

162. Regional research in collaboration with Gender Links has included (a) the Gender and Media Baseline Study (GMBS) of 2003; the Global Media Monitoring Project (GMMP) of 2005; (b) the Gender and Media Audience Study (GMAS) 2005 and (c) the HIV and AIDS and Gender Baseline Study 2008.

163. One of the important findings of the Seychelles GMAS conducted in 2005 and which focuses on how consumers interact with news from a gender perspective is that women constitute 21 per cent of the news sources in Seychelles. This is a little higher than

the regional average of 17 per cent. The second clear cut message is that both men and women are aware of gender biases in media reporting noting that women were most likely to feature in roles such as victims, models, beauty contestants, health workers and home makers while men appear more frequently as officials in government and civil service, politicians, sportspersons and members of the police and military forces.

164. 80 per cent of women and 65 per cent of men agreed news would be more interesting if ideas and views of women were reported more frequently. However, only a minority of respondents wanted to see men portrayed in non-traditional roles such as care givers and home makers. Sexual images of women in the news were found to be 'uncomfortable' and 'insulting' by high proportions of women and to a lesser extent men.

165. The HIV and AIDS and Gender Baseline Study of 2008 which looked at gender practice in three francophone countries through monitoring of public and private media over a two week period in October 2007, concluded that:

(a) Gender specific coverage is extremely low. None of the stories monitored in Seychelles covered gender equality;

(b) Most stories and images display gender biases. Only one in four stories was categorized as gender aware. Most stories (69 per cent) were classified as gender blind and the remaining as perpetuating subtle or more blatant stereotypes;

(c) Women are still the missing voices and constitute only 25 per cent of all known sources in the Seychelles media. This is slightly higher than the comparable GMBS figure for 2005 (21 per cent). The regional average is 17 per cent;

(d) Women are more likely to be seen than heard and make up 31 per cent of all images monitored. They are more likely to be seen on TV (33.7 per cent) than heard on radio (26.7 per cent) or quoted in print media (16.9 per cent);

(e) Women are least likely to be sourced as experts and male voices dominate as spokesperson, subject or expert;

(f) Women are underrepresented on all topic areas except health although women sources in economics and politics are improving from 11% and 10% to 18.2 per cent and 21.7 per cent;

(g) The only three occupations in which women dominated were social workers 75 per cent, health workers 100 per cent and academic 66-7 per cent. Men dominated all other occupations;

(h) Old women are virtually nonexistent and women over 50 rarely accessed as sources or images compared to older men;

(i) Women journalists are more likely to consult women sources than men journalists.

166. These findings carry important messages for media policy makers. They point to the need for greater sensitization of those responsible for media programmes. There are currently no regulatory mechanisms for the monitoring of gender sensitivity of media material or policies or ethical principles/ policies for reporting on gender. Government has recently announced the setting up of an independent media commission accountable to the public. Such a commission should fulfil this role.

167. The Ministry of Education has also been active in raising awareness of gender stereotyping. Since 1996, in collaboration with the Seychelles Association of Women Professionals (SAWOP) a local Chapter of the Forum of African Women Educationalists (FAWE) it has:

- Organized training of trainers workshop for 22 gender trainers;

- Sensitized over 450 teachers in recognizing and challenging gender stereotyping;
- Produced gender training manuals and frameworks for gender analysis;
- Trained teacher trainers and curriculum designers in the production of gender friendly materials; and
- Helped schools integrate gender into their school development plans.

168. There is heightened awareness of gender throughout the education system. Most schools have integrated gender into their school development plans. Locally produced curriculum materials are systematically screened for gender bias and teachers have been trained to recognize gender bias in imported materials.

169. In 2006, Seychelles participated in a Commonwealth Secretariat funded qualitative research project on gender analysis of schools and classroom processes designed to explore the extent of gender bias in secondary schools in six Commonwealth countries of diverse backgrounds with gender disparities both in favour of boys and girls. Four areas of school were identified for in-depth analysis (1) attitudes (2) school environments (3) curriculum and materials and (4) teaching, learning and classroom processes.

170. The results contained in a Commonwealth Secretariat publication entitled 'Exploring the Bias: Gender and Stereotyping in Secondary Schools' revealed that many school processes and procedures, teacher attitudes and expectations were heavily gendered and were seen to be working against a large numbers of boys thus affecting their participation and outcomes at secondary school level.

171. A follow up action research project was mounted in two pilot schools to create more gender friendly schools with positive results. An action guide based on lessons learnt including numerous examples from the Seychelles experience has been produced. 'The Gender Responsive School: an Action Guide' 2009 published by the Commonwealth Secretariat is an effective tool for teachers, head teachers and school administrators to turn schools into effective change institutions. Lessons learnt from the project have been disseminated to all secondary schools.

172. The same study also revealed that parents' choices portray very stereotyped attitudes about appropriate jobs for men and women and reflect the current labour market trends. Over 80 per cent of parents disagreed to their girls taking up careers in engineering and construction. Other career choices not acceptable to girls were fishing, sailing and labouring. Care giving jobs were considered more appropriate for women and over 65 per cent of parents would not like their sons to become nurses or primary school teachers. The perception in Seychellois society is that early childhood and primary education are closely associated with nurturing and care giving and thus not appropriate for men.

173. Since 1999, career education lessons are delivered by trained teachers to all students of secondary year four and year five and provide students with reliable information on job prospects in an unbiased manner. Week long annual careers fairs held in collaboration with the National Human Resources Council stage exhibitions, open days, counselling sessions and TV programmes to guide students to make appropriate choices for the future. Women and men in non-traditional occupations are given media coverage.

174. Traditional male dominated vocational schools have been encouraged to review their selection criteria, promotional materials and course offerings to make them more attractive for women. This has had some positive impact on girls' enrolment in non-traditional fields such as the maritime school (see article 10). However the lack of positive role models, women friendly workplace facilities and job opportunities continue to hamper progress. Employers need more encouragement and support to recruit women into non-traditional jobs.

175. Government has also been pro-active in combating stereotyping in numerous other ways. Theme days have been celebrated in purposeful ways through reflection and promotion of positive messages about women and men. International women's Day, Mothers Day, Family Day, Social Workers Day, Nurses Day, Teachers Day, Labour Day have all been used to celebrate the contribution of women and men in nation-building and educate families on shared responsibilities in the home.

176. Government has supported gender training awareness and sensitization programmes conducted by local and overseas consultants for large groups of participants from the private and public sector. Some of the most important ones are:

- Gender mainstreaming and good governance in 2005;
- Gender analysis and planning, a series of workshops in 2006;
- Gender-sensitive indicators in 2007;
- Strategic gender sensitive communications planning in 2008;
- Law enforcement and the rights of women, a series of lectures throughout 2008-2009;
- Gender Based Violence and National Strategy on Domestic Violence in 2007 and 2008;
- Gender and the rising cost of living in 2009.

177. The role of the Gender Commission, local NGOs and Church Organizations has been instrumental in challenging stereotypes through public sensitization campaigns, especially in relation to domestic violence and child abuse. Parenting programmes promoting equitable sharing of responsibilities and an increased role for fathers in the home are regularly conducted (NGO activities are detailed under article 8).

178. Political speeches and church messages have called on men to become more responsible fathers. The need to 'reconstruct' fatherhood has been echoed by government agencies and numerous NGOs, family support groups and fathers groups working at district level.

179. From 1993 up to 2009, *Seychelles Nation* as the only daily national newspaper has carried a large number of articles promoting women and family issues and denouncing violence against them. But they are mainly reports on seminars and workshops that have been organized for women and messages from government leaders and women organizations to mark Women's Day or other occasions. No investigative or analytical articles have been published by the *Seychelles Nation*.

Family education

180. The Family Life and Health Education (FLHE) component of The Personal and Social Education (PSE) programme in the National Curriculum is the main vehicle for transmitting health, reproduction and population related information to all children and adolescents of school-going age. PSE is a compulsory subject on the school curriculum and all children from primary 1 to secondary 5 are taught three formal PSE lessons a week. Classes are mixed and both girls and boys have equal access to all aspects of the programme.

181. Topics in the FLHE component incorporate relevant aspects of growth and development, sexuality education, gender roles, interpersonal and social skills, family role responsibilities and relationships, personal achievement and leisure, population issues and measures for sustainable development. Family responsibilities and relationships are dealt with in gender sensitive ways which are not limited by traditional roles and tasks.

182. Concerns faced by youth and adolescents in Seychelles, such as high incidence of sexual behaviour, unwanted pregnancies, increasing incidence of HIV/AIDs, sexual abuse, the growing number of teenage pregnancies and other family problems are adequately addressed in the programme. Accurate information on growth and development as normal processes for both boys and girls is given to students. The aims of the programme are to promote positive attitudes and behaviour towards parenthood, as a basis for better family living, parental care, gender equity and equality. It is expected that the programme will bring about attitudinal changes over time and help boys and girls develop new and stronger relationships based on respect and equality for both genders.

183. The contents of the revised PSE programme were discussed and approved at a national conference in 1997 which was attended by representatives from various ministries including Health and Social Services, church representatives, relevant NGOs' teachers, parents, and pupils before being launched in schools.

184. The curriculum team produced a trainers' package, developed materials and conducted in-service training of teachers prior to the implementation of the programme in schools. The methods and teaching approaches advocated are highly participatory and interactive and encourage pupils to take control of their own learning. The teacher acts as a facilitator and through methods such as case studies, role plays, interviews, songs and drama gets young people to think, communicate, make decisions, solve problems and adopt positive behaviours. Teachers are encouraged to evaluate not only knowledge but also personal development, skills, attitudes and values. Teaching is done mostly in the mother tongue in the early years. This increases the level of discussion and participation. English is used especially in the higher classes where the support materials are mainly in English.

185. PSE is taught by trained teachers in schools the majority of whom are women. Although there has been no formal evaluation of the programme, informal feedback from trainee teachers, PSE teachers and head teachers reveal that the programme is being well implemented in schools and the subject, in spite of being non-examinable, has a recognized place in the national curriculum. There is active participation of boys and girls in classes and fewer incidents of truancy have been recorded in PSE classes. It is perceived that some teachers do not feel fully confident about teaching all aspects of sex education because of religious and cultural upbringing and therefore do not fully cover these parts of the programme. Research is required in this area to gauge the reality of this perception.

Factors and difficulties

186. Gender dynamics and gender roles have changed considerably in Seychelles because of the rapid pace of development and the increasing number of women joining the labour force (art. 11). There are currently few studies in Seychelles which look specifically at socialisation in gender role behaviour and construction of gender identities in the home or time use studies to determine role distribution. Such studies are essential to identify trends in dominant family forms and their implications for policy. Research capacity and funding are two important constraints.

187. Sensitization campaigns and parenting programmes have in the past largely focused on women. There is a need to engage men more effectively in the process and identify causes of men's disempowerment through interviews with diverse groups of men and women. Gender is still considered very much a women's issue. Changing the mindset will require enormous skills and expertise. Male policy makers have been very reluctant to engage constructively with gender issues and the one men's organization has been largely invisible over the last few years. Consistent high level engagement and commitment will be essential to challenge stereotypes.

Article 6: Exploitation of women, trafficking and prostitution

Trafficking

188. Seychelles acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others on 5 May 1992. It has also signed the United Nations Convention Against Transnational Organized Crime on 12 December 2000 and ratified on 22 April 2003, as well as the supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, which was signed on 33 July 2002 and ratified on 22 June 2004.

189. Although there have been no reports from the police department that persons were trafficked to, from or within the country during the last twenty years, Seychelles has joined the international community in condemning trafficking of women and children. As a small isolated group of islands, the country may have been spared the dangers of being used as a transit point for transnational trafficking. However, increasing numbers of migrant workers and the fact that tourism remains one of the country's most important industries makes it imperative that Seychelles remains on the alert.

190. Patterns of immigration and emigration are monitored. These are essentially to monitor population, tourism and labour movements and not sex work.

Prostitution

191. No statistics are available on the incidence of prostitution and no studies on prostitution have been carried out to date. NGOs working with women and children have reported a rise in prostitution evidenced by the number of young women hanging out in prominent areas in the evening and being picked up. Increased drug use by young women is also reported to be linked to rising trends in prostitution.

192. A few young women have acknowledged being engaged in sex work on TV programmes and local newspaper articles because of the current economic constraints. A Child-Well being study conducted by the Social Development Department in 2009 revealed that 'sex for money or something they wanted' did occur among young children. 4 per cent of boys as compared to 1 per cent of girls answered 'yes' to the question.

193. The Probation Services reported having received a few reports of minors entering discotheques and involved in prostitution. Probation officers carried out a few spot checks in discotheques primarily to follow up on minors under their surveillance but this practice has stopped because of the lack of a proper mechanism for follow up and coordination. The police also reported having investigated one or two allegations of operation of brothels but had no evidence to prosecute further.

194. The Social Development Department in 2009 developed a Plan of Action on Social Ills, which also addresses the issue of prostitution. Activities on the plan include an in-depth study on prostitution, review of laws, community participation through setting up of task forces at district level, training of law enforcement officials, educational programmes and rehabilitation services. Funding for the study on prostitution has been provided by the Ministry of Finance in 2010.

195. There are no special measures to protect prostitutes. Health facilities are free and accessible to all. The new Reproductive Health Policy, 2009 recognizes that there are special groups such as commercial sex workers that have more pressing needs for reproductive health services than the rest of the population. The plan makes special provisions for targeting these vulnerable groups of women and men without bias.

Legal provisions

196. The Penal Code is the main legislation in Seychelles that offers protection to all citizens against criminal offences. The following sections of the Penal Code provide protection and punishment against forced detention and abduction of women. Soliciting, maintenance of a brothel and living off the earning of prostitution are also offences punishable by law. Laws to protect young boys against trafficking and prostitution need to be strengthened.

S 141: Detention of Female in brothel and elsewhere

“Any person who detains any woman or girl against her will in or upon any premises with intent that she may be unlawfully or carnally by any man... in any brothel, is guilty of a misdemeanour³⁰.”

S 143 of the Penal Code: Procuring for prostitution for purposes of gain

“Whoever for purposes of gain-procures, entices or leads away, for the purposes of prostitution, another person (even with the consent of that person); or exploits, or is an accessory in, the prostitution of another person (even with the consent of that person), or the illicit carnal connection of 2 other persons, is guilty of a misdemeanour.”

S 144 of the Penal Code: Procuring for prostitution, etc., other than for purposes of gain

“Whoever for purposes of gain-procures, entices or leads away, for the purposes of prostitution, another person (even with the consent of that person); or exploits, or is an accessory in, the prostitution of another person (even with the consent of that person), whether the person procured, enticed, led away or exploited is less than 21 years old at the time of the offence, or is procured, enticed, led away or exploited for the purpose of being sent abroad, or by the use of fraud, deceit, threat, violence or by any other means of duress, is guilty of a misdemeanour.”

Article 133 of the Penal Code: Abduction

“Any person who, with intent to marry or carnally know a woman of any age, or to cause her to be married or carnally known by any other person, takes her away, or detains her, against her will, is guilty of a felony, and is liable to imprisonment for 7 years.”

Article 133 A(1) of the Penal Code: Abduction of girls under 18 years

“Any person who unlawfully takes an unmarried girl under the age of 18 out of the custody or protection of her father or mother or other person having the lawful care or charge of her and against the will of such father or mother or other person, if she is taken with the intention that she may be unlawfully and carnally known by any particular man or generally, is guilty of a misdemeanour.”

S 134 of the Penal Code: Abduction of girl under 15

“Any person who unlawfully takes an unmarried girl under the age of 15 out of the custody or protection of her father or mother or other person having the lawful care or charge of her, and against the will of such father or mother or other person, is guilty of a misdemeanour.”

Article 138 of the Penal Code: Procurement

“Any person who -

³⁰ A misdemeanour is a crime less serious than a felony and is usually punishable by fine, penalty, forfeiture or confinement, usually for a brief term.

- (a) *procures or attempts to procure any girl or woman under the age of 21, not being a common prostitute or of known immoral character, to have unlawful carnal knowledge, either in Seychelles or elsewhere, with any other person or persons;*
- (b) *procures or attempts to procure any woman or girl to become, either in Seychelles or elsewhere, a common prostitute; or*
- (c) *procures or attempts to procure any woman or girl to leave Seychelles, with intent that she may become an inmate of or frequent a brothel elsewhere; or*
- (d) *procures or attempts to procure any woman or girl to leave her usual place of abode in Seychelles (such place not being a brothel), with intent that she may, for the purposes of prostitution, become an inmate of or frequent a brothel either in Seychelles or elsewhere, is guilty of a misdemeanour...*

S 154 of the Penal Code: Soliciting

“A person who solicits another person in a public place for prostitution is guilty of an offence and liable to imprisonment for 2 years.”

S 155 of the Penal Code: Brothel

- (1) *“A person who –*
 - (a) *keeps or manages, or acts or assists in the keeping or management of a brothel;*
 - (b) *being the owner, tenant, lessee or occupier or person in charge of any premises, knowingly permits to be used as a brothel;*
 - (c) *being the owner, lessor or landlord or the agent of the owner, lessor or landlord, of any premises-*
 - (i) *lets out the premises or any part of the premises knowing that the premises or any part of the premises is to be used as a brothel; or*
 - (ii) *is wilfully a party to the continued use of the premises or any part of the premises as a brothel, is guilty of an offence and liable to imprisonment for 3 years.*
- (2) *In this section “brothel” means any premises or any part of any premises resorted to or used by any person for the purposes of prostitution or lewd sexual practices.”*

S 156 of the Penal Code: living on earning of prostitution

- “A person who-*
 - (a) *procures, entices or leads away, for the purposes of prostitution, another person;*
 - (b) *knowingly lives wholly or in part on the earnings of prostitution of another person;*
 - (c) *knowingly exploits the prostitution of another person;*
 - (d) *for the purposes of gain, exercises control, direction of influence over the movements or actions of another person in a manner as to show that the person is aiding, abetting, encouraging or compelling the prostitution of that other person, is guilty of an offence and liable to imprisonment for 5 years.”*

New forms of trafficking

197. One initiative in response to new dangers presented by internet and new technologies has been the setting up of the Safe Technology Committee (STC), formed in

October 2007 following the circulation of images of minors in nudity being proliferated by adults through emails, CDs, pen drives etc.

198. Committee members from the public and private sectors, church groups, Attorney General's office, police and other volunteers met regularly to prepare a joint response. The main aims of the committee were to disseminate awareness of real threats presented by misuse of new technology through Schools, Media, Churches, Industry and Community. Other objectives included:

- To encourage organizations to implement policies that protect the employee and the company from technology misuse;
- To encourage all schools to adopt and/or update policies that protect pupils and schools from technology misuse; and
- To revisit existing legislation and to update present laws where appropriate.

199. Some of the committee's main achievements have been:

- Media backed presentation of educational pack to Ministry of Education and ministry's endorsement of STC;
- Media campaign – TV, print and radio exposure of STC's purpose and key messages;
- Employer Workshop and Draft Policy presentation;
- Draft Policy presentation to Ministry of Employment;
- Workshops and talks for parents and children groups at regional level; and
- Communication at every opportunity of existing legislation and penalties for law breaking.

Safe Technology has a website which can be accessed at www.safetech.sc.

Factors and difficulties

200. There are no records of prosecution under any of the above offences in the review period³¹. The new action plan on prostitution developed by the Social Development Department calls for a review and modernization of the laws on prostitution to provide greater protection for girls and women and also for boys and men.

201. It is also very important that police officers be provided with up to date training in investigating offences related to prostitution and new forms of trafficking to give better protection to vulnerable sectors of society. Seychelles is a small close knit community. The close bonding and familiarity sometimes makes policing a difficult job.

Article 7- Political and public life

Right to vote and to be elected to public bodies

202. The principal legislation governing elections is the Constitution of Seychelles (1993). The Electoral Act (1995) revised in 1996, provides the more detailed framework for the conduct of elections. Seychelles has a democratic electoral system based on universal franchise. The right of women to vote on equal terms with men in all elections and public

³¹ There is one case of acting in keeping a brothel which is in court pending trial in 2010.

referenda and to be eligible for election to all publicly elected bodies is enshrined in articles 24 and 113, 114 of the Constitution of Seychelles.

203. 198. Article 24(1) of the Seychellois Charter of Fundamental Human Rights and Freedoms states under the right to participate in Government', that:

Box 3: Article 24(1) - Right to participate in Government.

"Every citizen of Seychelles who has attained the age of eighteen years has a right:

- (a) To take part in the conduct of public affairs either directly or through freely chosen representatives;
- (b) To be registered as a voter for the purpose of and to vote by secret ballot at public elections which shall be by universal and equal suffrage;
- (c) To be elected to public office; and
- (d) To participate, on general terms of equality, in public service.

Box 4: Article 113- Right to vote

Article 113 of the Constitution

A citizen of Seychelles is registered as a voter in an electoral area shall be entitled to vote, in accordance with law, in the electoral area:

- (a) At an election for the Office of President
- (b) At an election of the members of the National assembly; or
- (c) In a referendum held under this Constitution

204. Article 24(1b) states that any person who is citizen of Seychelles and eighteen years of age is entitled to be registered as a voter. Article 114(1) stipulates that a person may only be disqualified from voting on the ground of (a) infirmity of mind; (b) criminality; or (c) residence outside Seychelles. Public Service Orders 99 states that Employees as citizens of Seychelles are free to participate in political activities and may become office bearers of a political party.

205. Article 115 of the Constitution provides for the appointment of an Electoral Commissioner appointed by the President from among candidates of proven integrity and high repute nominated by the Constitutional Appointments Authority for a period of not more than seven years. The main responsibilities of the Electoral Commissioner are to conduct and supervise voter registration, elections and referenda, to review constituencies and electoral boundaries; and to review the workings and practices of election campaigns. The Electoral Commissioner is assisted by a Chief Registration Officer. Both posts are currently held by males. During election time, temporary staff is appointed to serve on the Election Management Body. The position of Chief Electoral Officer, responsible for the management of the polls was held by a woman in the last elections held in 2006/2007. There is no permanent high-ranking woman official in the office of the Electoral Commissioner.

Participation of Women in Elections

206. Women have always taken an active part in politics at grassroots level in Seychelles and were fully involved in the struggle for independence prior to 1976. Universal adult suffrage was achieved in 1967, when women gained the right to vote along with men

irrespective of whether they were a taxpayer or a proprietor of land as previously required by law, provided they were over 21 years old and registered to a district. Since the restoration of multi party democracy in 1993, women have continued to participate actively in all elections both as voters and as electoral officials.

207. A total of four presidential elections and four national assembly elections have been held in Seychelles since 1993. Concurrent Presidential and national assembly elections were held in July 1993, and March 1998. Presidential elections were again held in September 2001 followed by national assembly elections in December 2002. The last Presidential elections took place in July 2006 followed by national assembly elections in May 2007. Women voted massively in all elections.

208. Statistics from the last two elections held in 2001/2002 and 2006/2007 show that there are more women voters registered on the electoral roll. Women turnout is high and represents over 50 per cent of all votes cast. These figures also reveal a high degree of political consciousness and civic responsibility among women.

Table 3: Gender balance of votes cast in elections from 2001 to 2007

Year	Type of Election	Eligible Voters		Total	Vote cast		Total
		Female	Male		Female	Male	
2001	Presidential	50.01%	49.99%	100.00%	50.72%	49.28%	100.0%
2002	MNA	50.20%	49.80%	100.00%	50.53%	49.47%	100.0%
2006	Presidential	50.20%	49.80%	100.00%	50.84%	49.16%	100.0%
2007	MNA	50.10%	49.90%	100.00%	50.66%	49.34%	100.0%

Source: Office of the Electoral Commissioner

Table 4: Voter participation by sex; 2007 presidential elections

Age group	Female	Male	Total	% total vote cast
18.<.25	4,102	4,106	8,208	14.7%
25.<.35	6,575	6,438	13,013	23.3%
35.<.45	6,547	6,488	13,035	23.3%
45.<.60	6,306	6,962	13,268	23.8%
60 plus	4,754	3,549	8,303	14.9%
Total	28,284	27,543	55827	100.0%

Source: Office of the Electoral Commissioner

209. Statistics from the 2007 presidential elections show that women of all ages vote. They form the majority of voters in all age groups except for the 18<20 and 45-60 age groups. In the above 60 age group, they outnumber men by over a thousand. This reflects the demographic pattern.

210. Government ensures that all categories of voters can exercise their right to vote. Priority is given to the elderly, disabled and pregnant women in queues at polling stations. During the 2007 elections, an additional voting station was established at North East Point to provide voting facilities to residents of old people's home and patients of the North East point hospital.

Electoral officials

211. Women also play a very active part in the election process being fully involved in the registration of voters and as polling officers and political party agents. The electoral Commissioner reported that women constituted approximately 90 per cent of the workforce

involved in the registration of voters and 60 per cent of staff involved in the election process on Election Day.

212. Pre-election Voter Educational spots on TV and the media show women exercising their rights and actively involved in the registration and management of polling centres. The heavy presence of women in the polling stations was commented on by the Commonwealth expert team³² observing the presidential elections in July 2006. Their report noted that the polling staff was thorough, efficient and consistent in the application of procedures and the 'clear majority of officials were women'.

Women representation in Parliament (National Assembly)

213. Legislative power is vested in a unicameral parliament, named the National Assembly. There is a mixed system of elections. Twenty five members, equal to the current number of electoral areas, are elected in first-past-the-post single member constituency elections and 9 further members are elected by proportional representation. Each party is allocated 1 seat for every 10 per cent of the popular votes obtained in elections. The term of office of the National Assembly is five years.

214. To qualify for the post of member of the national assembly (MNA), a person must be qualified to vote (on the electoral register) and not hold any responsibility in the making or amending of the electoral register or conduct of elections. Table 5 shows the number of women who have been elected to the national assembly since 1993. Figures in brackets show the number of women/men who have been nominated proportionately by their parties based on election results.

Table 5: Number of men and women in the National Assembly from 1993-2009

<i>Assembly Terms</i>	<i>No of Women</i>	<i>No of Men</i>	<i>Total</i>	<i>% Women</i>
1993-1998	9 (1)	24 (8)	34	26.5%
1998-2002	8 (3)	26(6)	34	23.5%
2002-2007	10 (3)	24(6)	34	29.4%
2007-to date	8 (4)	26 (5)	34	23.5 %

Source: National Assembly

215. The percentage of women in the National Assembly has fluctuated between 23.5 per cent and 29.4 per cent over the last 17 years. The number of female parliamentarians however has decreased following the last elections held in 2007. These percentages compare favourably with other countries in the region. However, in spite of their very active participation in politics at grassroots level and their increased penetration in the labour market at all echelons, women participation in the national assembly as elected members has not increased over the last seventeen years.

216. Relatively few women are included on party lists and there have been no independent woman candidates in elections since 1993. In the last elections held in 2007, Parti Lepep fielded five female candidates and SNP two female candidates. Four Parti Lepep candidates were elected and no SNP candidates made it first past the post.

217. The post of speaker and deputy speaker are elected by the national assembly members in accordance with standing orders and have to date been held by men. The post of Leader of Government Business (from the leading political party Parti Lepep) not a constitutional post, is currently held by a woman.

³² Seychelles presidential Elections 28th-30th July Report of the Commonwealth Expert Team

218. The Constitution of the Seychelles (1993) makes no provision for quotas or reserved places to advance the representation of women in the national assembly or publicly elected bodies. None of the political parties interviewed have adopted voluntary quotas to increase the representation of women in parliament or spoken in favour of the quota system. 'A political party's goal is to win elections and it will field its best candidates, be they men or women' is the comment made by one representative. The fielding of male candidates in preference to females assumes that men make the best candidates.

219. The practice of proportionate nomination of members has been used by both political parties especially the ruling party to increase women representation in the Assembly. In this manner, the ruling party, Parti Lepep has maintained a 30 per cent representation of women in the assembly. More men than women (see table 5) are nominated by both parties.

220. Large numbers of party activists are women. They devote considerable amounts of time and energy to party work at grassroots level. In 1980 and 1985 before the introduction of multi-party democracy, women made up 41 per cent of the elected national assembly members. It is also interesting to note that it is a woman candidate, Mitcy Larue who won the highest percentage of votes (75 per cent) in her Baie St Anne constituency during the last elections held in 2007.

221. There has been no research undertaken by government, political parties or NGOs to determine structural barriers to women's greater participation as parliamentarians. Anecdotal reasons given are family commitments, heavy demands on time, personal sacrifices, and lack of confidence to engage in competitive elections. The SNP representative also mentioned fear of victimization as one reason why more women from the opposition were reluctant to stand as candidates.

222. An Action Group of Women Parliamentarians was set up in 2000 to act as a support group and mentors for young women who aspire to become involved in politics and decision making. A series of workshops and sensitization sessions were carried out. The Action group is currently registered as an association under the Gender Commission of LUNGOS but has been relatively inactive for the last few years.

Political parties

223. The Political Parties (Registration and Regulation) Act (1992), updated in 1996, provides for the registration of political parties. There are three registered political parties in Seychelles; Parti Lepep the ruling party founded in 1964; the Seychelles National Party (SNP) the main opposition party founded in 1993 after the introduction of multi party democracy; and the New Democratic Party founded in 1964.

Parti Lepep

224. Parti Lepep, the ruling party since 1977, was founded in August 1964 as the Seychelles People's United Party (SPUP). As a liberation party, it led the struggle for independence from Great Britain. In 1979, it became the Seychelles People's Progressive Front, and further changed its name in 2009 to become Parti Lepep. The current Secretary General is Mr. James Michel who is also President of the Republic of Seychelles.

225. Some of the party's guiding principles which have underpinned the country's economy and social welfare policies are to:

- Promote, secure and maintain unity in a democratic organization with no social, economic, religious or racial discrimination;
- Create a modern society wherein all citizens, regardless of colour, social status, racial origin, sex or creed, shall have equal opportunities and be afforded the basic needs of

life such as security of income, health care, good and hygienic housing, compulsory education, opportunities for the young and care for the aged;

- Eradicate from society all forms of discrimination, oppression and exploitation;
- Safeguard and develop the economic and social foundations of the country and stimulate economic growth for the benefit of all citizens; and
- Fight with all its strength against any and every effort to destroy the rights of workers or to impose upon the people the arbitrary will of any group or clique that would violate the unqualified right of the people to direct our country.

226. Women account for 52 per cent of the members of the Parti Lepep. They are involved in political work alongside men as executive members of the district Party Branches, Zone Mobilizers and Section Secretaries. The supreme policy-making body of Parti Lepep is its Congress, which meets every year. In between congresses, the Party is led by the Central Committee, which meets every month. There are no women in the 3 top positions of the political hierarchy but 30 per cent of the members of the Central Committee are women. The majority of members on the Central Committee, including the women, are attached to specific districts where they help the Party Branch Executive Committees with political work.

227. The SPUP Women's League (currently the SPPF Women's League) was formed on 23 August 1970 by the former President, Mr. France Albert Rene, who is now the Party Founder Leader. This formation marked another major step towards the full mobilization of women in the forefront of the struggle for independence. The longstanding Patron was former first lady, Mrs. Geva Rene. The League has been chaired by important women leaders, including the first female minister in Seychelles, Mrs. Rita Sinon. The Chairperson of the woman's organization is a member of the Central Committee and each district has a representative on the executive committee. The Women's League has since occupied an important function in the party, actively bringing to the attention of the Party's leadership concerns of gender inequalities and a fairer deal for women. Being a political organization, the Women's League has also played an active role in the party, mainly in the function of educating women about political issues and engaging them in the political process. Since 1984 the objectives of the SPPF Women's League have been to:

- Secure and maintain the status of women;
- Promote their political, education, social and economic standard;
- Act as a control body for coordinated representations to the Central Committee of the SPPF on matters concerning women;
- Preserve the rights and liberties of women and combat discrimination against them;
- Implement any directives issues by the SPPF; and
- Raise fund, manage and invest the fund of the League.

228. The Women's League today has an important number of women from all walks of life. Important activities organized by the organization during the review period include their annual conferences, International Women's Day (IWD) 1994 when they paid tribute to former Chair Rita Sinon, IWD 1995 conference to review their Constitution, IWD 1997 trade fair for women entrepreneurs.

The Seychelles National Party (SNP)

229. The Seychelles National Party (SNP) was formed in 1993 as the United Opposition from the fusion of three small parties led by the Parti Seselwa. The SNP is a Liberal party

which emphasizes active multiparty democracy, respect for human rights and liberal economic reforms; the party believes in:

- A free and independent Seychelles;
- Promoting, protecting and defending a democratic Constitution for Seychelles;
- Pursuing an economic and social development strategy for the benefit of all Seychellois regardless of creed, colour, sex, race or political affiliation;
- Upholding and defending all the basic rights of all individual Seychellois and any foreigner residing in Seychelles, as outlined in the UN Declaration of Human Rights, The EU Convention on Human Rights, the AU Convention on Human Rights and the Constitution of Seychelles;
- Injecting integrity, honesty and transparency into government;
- When in opposition, to act as a strong and loyal opposition to government; and
- Establishing a strong national government with national standards and programmes, and a clear national vision.

230. Approximately 20 per cent of the office bearers in the SNP are women. Their responsibilities are predominantly administrative work, party organization and mobilization and fundraising. The objectives of the SNP's women's Association are to:

- Encourage women to become members of the SNP;
- Bring women together in formal and informal meetings, training, conferences and social events;
- Promoting women's involvement in policy-making processes;
- Supporting women's participation in politics;
- Develop and nurture future leaders;
- Campaign and sensitize the population on issues that affect women; and
- Enable women to support each other, share experiences and expertise, build networks and to form a collective view.

The New Democratic Party

231. The New Democratic Party formerly the Democratic Party was founded in 1964. Its guiding principles are to maintain the Christian heritage and values of the Seychelles people in harmony with Seychellois of all religions and to protect the independence and territorial integrity of Seychelles. The party believes in the rule of law and respect for the Constitution, and a democratic system of government chosen by the people.

232. Forty per cent of its members are women but only 24 per cent of the women are office bearers. The party has an active women's organization but because of recent restructuring within the party, it has not been in a position to influence any policy.

233. The party believes that there are too many women's organizations with similar objectives working at cross purposes and competing for limited funds. Better networking and collaboration among the various women's organizations would go a long way in empowering women. Many women lack self-confidence and believe their main role is to look after the home and family. The role of women in politics is not progressing.

234. Increased participation of women in politics has not been considered a top priority on the agenda of political parties and NGOs. None of the main political parties have established quotas to increase the number of women within party leadership structures or

felt the need to do so. However both political parties, Parti Lepep and Seychelles National Party (SNP) reported being in the process of reorganizing their woman's wing to bring it in line with new developments and thinking on women's issues and best international practice. The SNP representative was drafting a gender policy for the party and sensitizing party leaders on the issue.

Presidency

235. Article 50 of Chapter 1V of the Constitution, makes provision for a President who is the head of State, head of government and Commander in chief of the Defence Forces of Seychelles. A person is qualified for election as President if the person is a citizen of Seychelles and has registered as a voter. The presidential candidate may designate a person to be Vice President who is subsequently elected on the same ticket. The office of the Vice President was added by an amendment in 1996 (art. 66A).

236. There have been no female candidates for the post of presidency in the last three presidential elections. The opposition party (SNP) which unsuccessfully contested presidential elections had a woman candidate designated as Vice President for the 2006 elections.

Cabinet of Ministers

237. According to the Constitution, the President may with the approval of the national assembly appoint any person who is a citizen of Seychelles and who has attained the age of 18 to the office of minister. Ministers are not elected members of parliament. According to article 70, the President may appoint no less than seven and no more than 14 ministers. A minister may also be assigned the responsibility of more than one ministry at any time.

Table 6- Number of ministers from 1993 to 2009, by sex

	<i>No. of Female Ministers</i>		<i>No. of Male Ministers</i>	<i>Total</i>	<i>Female %</i>
1993	3		7	10	30.0
1994	3		8	11	27.2
1995	3		8	11	27.2
1996	3		8	11	27.2
1997	3		8	11	27.2
1998	2		8	10	20.0
1999	2		8	10	20.0
2000	2		8	10	20.0
2001	2		8	10	20.0
2002	2		8	10	20.0
2003	3		8	11	27.2
2004	3		7	10	30.0
2005	3		7	10	30.0
2006	5		7	12	41.6
2007	3		6	9	33.3
2008	2		6	8	25.0
2009	2		5	7*	28.5

Source: Cabinet Secretariat. *1 vacant position of Ministry of Foreign Affairs.

238. The first woman minister (Minister for Internal Affairs) was appointed in 1986. A total of 8 women have served as ministers since 1986. There are two female ministers in the current cabinet of 2009. Women have held important portfolios over the years including portfolios of Foreign Affairs, Internal Affairs, Education, Health, Social Affairs, Sports and Culture, Employment, Public Administration and Tourism. They have been instrumental in introducing a gender perspective in Ministries they have headed. They have been less successful in advocating for the mainstreaming of gender across all ministries because of their minority position.

239. The two ministerial portfolios held by women in 2009 are the Ministries of Health and Social Development; and Employment and Human Resource Department. These are two of the most sensitive portfolios in the current climate of structural adjustments, liberalization and downsizing of government. Maintaining a focus on people-centred development and the consolidation of social gains, presents enormous challenges during stringent economic situations when planning focus is primarily on economics.

240. There are no quotas for ministerial positions. Seychelles has signed and is in process of ratifying the SADC Gender and Development Protocol, and will thus be legally obligated to work towards the target of 50 per cent women in decision making posts in the public and private sphere by 2015.

Women in public office

Structure of the public service

241. The Minister responsible for Administration is head of the public service which also includes the parastatal organizations. Principal Secretaries are the chief executives of ministries or departments. They are responsible for the efficient management and overall development of the ministry in line with government policy under the direction of his/her Minister. Parastatals are normally headed by Chief Executive Officers (CEOs). Principal Secretaries and CEOs are appointed by the President.

242. A ministry may have various departments/divisions with specific responsibilities for discharging the functions of the ministry. A Director General who reports directly to the Principal Secretary heads each division. The Director General is responsible for decision making for his/her division. The Principal Secretary and Director Generals make up the ministry's management team. A division consists of sections headed by a Director and Assistant Directors. (Many Director General posts have been abolished following the last government restructuring exercise in 2008)

243. Further to article 24 of the Constitution (cited above) which guarantees all citizens the right to be elected to public office and to participate, on general terms of equality, in public service, Public Service Orders 32 ensures that women will not be discriminated against in terms of recruitment and salary.

Public Service Orders 32: Employment of Women

"All avenues of employment in the Public Service will be open to women who are suitably qualified and there will be no difference between the salary, or other terms of service of men and women employees of equivalent qualifications and experience, except that maternity protection shall be granted as provided in these Orders, subject to:-

- a) consideration being given to the special needs of a parent with children below crèche going age;*
- b) flexible working hours and home based work if requested by a parent falling in category (a) may be allowed unless the job demands specific working hours or physical presence at the workplace;*

c) wherever possible and upon request, a parent falling in category (a) should be transferred to a post which lends itself more easily to (b) above."

Women in decision- making positions

Principal Secretaries

244. In 2009, women constituted 58.4 per cent of the total workforce in the public service. (8,299 out of a workforce of 14,210)³³. The number of women Principal Secretaries has increased slightly from 25 per cent in 1994 to 35 per cent in 2009. Since the denominations are so small, it is more worthwhile to see how these percentages translate into numbers. In 1994, there were 3 women PS out of 12 (25 per cent); in 1997, 5 out of 14 (35.7 per cent), in 2002, 4 out of 17 (23.5 per cent) and in 2009, 8 out of 23 (34.7 per cent).

245. In 2009, only 9 (25.7 per cent) out of 35 Chief Executive Officers were women. Women are better represented at the level of Director Generals and Directors where they occupy 57.5 per cent of posts at that level. In 1994, 35 per cent of the Director General and 40 per cent of the Directors only were women. This shows a healthy upward trend. At the local government level, women hold 52 per cent of the district administrator positions. This percentage has remained fairly stable over the past years.

246. Up to 2010, all the Constitutional appointments; Auditor General, Attorney General, Ombudsman, Electoral Commissioner, Chair of the Public Service Appeals board and Chairperson of the Constitutional Appointment Authority have been male candidates but the first woman Ombudsman has recently been appointed in 2010. The Mayor of Victoria (the capital city), a nominated post, is a woman.

National Boards and Commissions

247. The composition and membership of 30 of the most important national boards appointed by the President was analysed. Results show that 24 (80 per cent) of them are chaired by men. Female members represent 30.5 per cent of the total membership of the boards.

248. There are also five high level Commissions appointed by the President viz Human Rights, Ethics, Energy, Media and Transport Commissions. One out of the five Commissions, the Ethics Commission is chaired by a woman.

249. There are no reliable data available for the number of women holding positions of responsibility in the private sector.

Good practice in leadership and management training

250. The three programmes described below show government's efforts to nurture and develop leadership potential. Although the programmes are not aimed at women exclusively, enrolment statistics show that women are accessing the courses to the same extent as men and in some cases outnumbering the men.

The Seychelles Young Leaders' Programme (SYLP)

251. The Seychelles Young Leaders' Programme (SYLP) is a new project initiated by President James Michel in 2007. The two year programme, run in collaboration with the Irish Institute of Public Administration, aims to groom potential Seychellois leaders who have demonstrated leadership capacity and social commitment into world class leaders who

³³ Department of Public Administration statistics

will contribute to the further development of Seychelles in the private as well as the public sector. The course consists of two components (a) a local leadership training programme; and (b) an MA degree in Strategic Management. A total of 23 young leaders (14 males and 9 females) successfully completed the course in 2009 and a further 34 (17 males and 16 females) have enrolled in the second cycle. The programme is supported by a local lecturers and a circle of mentors. Although this programme is not specific to women, it is expected to provide women with the confidence to aspire to higher jobs.

Young parliamentarians

252. The Seychelles Youth Assembly is an education forum which provides members with the opportunity to nurture skills and knowledge and develop research and speaking skills. The assembly consists of 35 members representing each of the 25 districts. Tenure is one year during which members conduct debates on motions which relate to youth needs, concerns, interests and aspirations. Statistics for the last seven years since its inception show that women have participated to a larger extent in the activities of the assembly than men (155 women as compared to 86 men).

Seychelles Institute of Management

253. The Seychelles Institute of Management, established in 1977, is the premier management development institution in Seychelles. It offers a range of training opportunities, consultancy and research services aimed at building personal, professional and managerial capacity of Seychellois to enable them to lead and participate positively in the country's development. Long courses on offer at the SIM include certificate and diploma courses in general and Human Resources management. SIM is also the accredited centre for the Association of Chartered Certified Accountants (ACCA). International courses include a professional diploma in marketing and International certificates in Logistics and Transport. Statistics available from 1994-2009 show that 68 per cent of graduates from SIM long courses were women (463 out of 680).

Judiciary

254. Article 119 of the Constitution, makes provision for an independent judiciary subjected only to the Constitution and other laws of Seychelles. The judiciary consists of three levels of courts:

- (1) The Court of Appeal of Seychelles;
- (2) The Supreme Court of Seychelles; and
- (3) Subordinate courts and Tribunals.

255. The highest court of law in Seychelles is the Seychelles Court of Appeal. This is the court of final appeal in the country. It is presided over by a President and Justices of Appeal. Judges of the court of appeal are appointed by the President from candidates proposed by the Constitutional Appointments Authority. The Court of Appeal currently consists of a President and three Judges of Appeal. All four judges, one of whom is an expatriate, are male.

256. The Supreme Court is the trial court for high value civil claims, admiralty matters, matrimonial disputes (except for custody and child maintenance), and serious criminal charges. It is presided over by the Chief Justice and Puisne Judges. It is also the first court of appeal for all the lower courts and Tribunals. The Supreme Court of Seychelles consists of the Chief Justice, four Puisne Judges and the Masters of the Supreme Court all of whom are appointed by the President from judges proposed by the Constitutional Appointment Authority. The Chief Justice and three of the Puisne judges are Expatriates. All these positions are currently held by males.

257. The Constitutional Court is created by the Constitution. It is not a separate court but a division of the Supreme Court. A constitutional case must be heard by at least two judges of the Supreme Court.

258. The Magistrates Courts of Seychelles are the trial court for lower value civil claims and less serious criminal charges. They also handle the initial stages of remanding suspects into custody. The Magistrates Court hears and determines civil suits in which the amount claimed or the value of the subject matter does not exceed ten thousand rupees. The head of the magistracy is the Senior Magistrate. Other officers of the magistracy are referred to as Magistrates. The Chief Justice appoints the Senior Magistrate and other Magistrates. Two of the four Magistrates are women (50 per cent), including the Senior Magistrate. The first lady magistrate under the third constitution was appointed in July 2005.

259. There are also a number of lower tribunals such as the Family Tribunal, The Rent Control Board and the Employment Tribunal. Women are well represented on these tribunals.

260. It is to be noted however that Seychelles has only a small pool of practicing women lawyers. Women make up 8 of the 40 registered Attorneys at Law. The Bar Association of Seychelles ("BAS") is an association registered under the Registration of Associations Act (1959). It was founded in 1988 by members of the Seychelles Bar. The key objects of the BAS are to represent and promote the interest and welfare of the members of the Association and to disseminate and encourage the dissemination of information on legal subjects. An encouraging two of its current executive committee members are women. However the promotion of women as Magistrates and judges is not mentioned as one of its main objectives.

261. Seychelles has a police force made up of 650 officers, 261 (40 per cent) of which are women. 70.5 per cent of the women however as opposed to 59.1 per cent of the men are clustered in the lowest rank of Police Constable. The highest ranking female police officer is Assistant Superintendent. (fifth in the police hierarchy). There are two female Assistant Superintendent one of whom is responsible for the Family Squad. The Family Squad has three female and one male staff. A major reform is underway to improve training, leadership and professionalism in the police force.

Obstacles

262. Although women are not equitably represented in top decision making positions in the country, it is rarely raised as an issue, the perception being that things are slowly changing and the reluctance to accept posts of responsibility lies with women themselves. Lobbying and advocacy on the part of NGOs is minimal because of the lack of research and data.

263. The need for more women judges has been frequently voiced in newspaper articles and seminars and workshops. It is felt that the participation of women judges would have a considerable impact on interpretation of law and bring in fresh perspectives.

Women in non-governmental organizations (NGOs)

264. The right to peaceful assembly and association is guaranteed under article 23.1 of the Constitution (box 5) Persons wishing to set up an NGO or association must register under the Associations Act. The Registration of Associations Act, 1959, CAP 201 defines an association as:

“Two or more persons who have agreed to contribute by their knowledge, energy, fortune or other lawful means or by a combination of any such means towards the attainment of a common goal....”³⁴

Box 5: Right of assembly and association.

Every person has a right to freedom of peaceful assembly and association and for the purposes of this article this right includes the right to assemble freely and associate with other persons and to form or belong to political parties, trade unions or other associations for the protection of the interests of that person and not to be compelled to belong to any association.

265. Procedures for registering an association are fairly simple and require an application to the registrar of companies giving information on name, place, objects, name and occupation of officers and the rules of the association.

266. NGO activity proliferated in the eighties and nineties when Government officially recognized the need for popular participation in national development and funding agencies started directing some of their development funds through NGO channels. An NGO desk was initially created in the Ministry of Foreign affairs in the 80s to help control, monitor and coordinate activities of NGOs in the country, as well as the technical and financial relationships that were being developed with international donors and agencies.

267. There are about 100 organizations that can be classified as Civil Society Organizations (CSOs) in Seychelles in 2009. They are legally registered and are usually non-profit, voluntary bodies formed by any groups of persons not operating as an agency of the state. They include organizations and faith based groups set up to provide services to the community in health, human rights, education, environment and other socio-economic areas as well as associations such as cooperatives and cultural groupings set up to promote the common interests of their members. Women are active as members and office bearers in the full range of voluntary organizations in Seychelles.

268. Civil society in Seychelles however is very much in its infancy stage. A number of organizations lack skilled personnel and volunteers to successfully implement large projects and many are very dependent on donor aid for funding their activities. However the large number of NGOs that have developed is testimony of the enthusiasm and commitment of civil society to engage in national development.

269. On 17 December 1990, an umbrella platform, the Liaison Unit for Non-Governmental Organizations (LUNGOS) was officially launched to represent the collective interest of the civil society in Seychelles and to act as the interface between government and civil society. Over the years, LUNGOS has consolidated its role as the national focal point for civil society in Seychelles. From a small secretariat with a few NGOs as members it has grown into a large organization which a membership of 71 civil society organizations operating in sectors ranging from Socio-Economic, Environment, Health and Social Welfare, to Women’s issues, Human Rights and Democracy in 2009. It has recently developed a five year strategic plan for civil society in Seychelles 2010-2014 as preparation for its increased role and visibility in national development. Through its Academy of Civil Society (Acts) established in 2008, LUNGOS provides a variety of training and development activities in financial management, organizational leadership, project management, human assets management and Information Technology for its members. Women have benefited from the training on equal basis with men.

³⁴ S 2 Registration of Associations Act, 1959 CAP 201

270. Government has recognized the need to relate to civil society and provide support when appropriate and when necessary. The formalization of the relationship between government and NGOs was concretised in July 2008 with the signing of a Memorandum of Understanding between Government (led by the Ministry of Health and Social Development) and NGOs (lead by LUNGOS). LUNGOS has permanent seats on a number of National Boards and Committees.

Women in LUNGOS

271. LUNGOS is a good example of a gender balanced organization. In 2009, out of the 71 organizations affiliated to LUNGOS, 31 were chaired by women (see list in appendix 7). LUNGOS is managed by a Board of Directors. Seven out of the fifteen members of the Board of Directors including the Vice Chairperson are women. It is organized under eight thematic commissions headed by a Secretary General; four out of the eight Secretary Generals are women. They are the (a) Gender Commission; (b) Socio-Economic Commission; (c) Commission of Professional Organizations and Social and Health Commission. The other four commissions headed by males are (a) Environment and Natural Resources Commission; (b) Youth, Culture and Sports Commission; (c) Commission of Faith Based Originations; and (d) Rights and Good Governance Commission.

272. The Gender Commission houses 10 member associations that focus on women and gender-based issues and offer support to men and women generally. The mission of the Commission is “to provide a forum to give women a voice and platform, ensure that due weight is given to women’s informed opinions when formulating policies pertaining to women and women’s issues”. The 10 members include: (1) The International Friendship League, IFL; (2) Nurses Association of Seychelles; (3) GEM Plus, a media-based association; (4) Alliance of Solidarity for the Family, ASFF; (5) Action Group of Women Parliamentarians; (6) Seychelles Association of Women Professionals, SAWOP; (7) Social Workers Association of the Republic of Seychelles; (8) CARITAS Seychelles; (9) Association of Fathers Promoting Responsible Parenthood and (10) Women in Action and Solidarity Organisation, WASO.

273. Some of the major areas of focus of the Gender Commission, previously grouped under the Seychelles Women Commission, are domestic violence, drug and alcohol abuse, workplace productivity, family relationships, and human rights. Commission members such as ASFF and WASO hold specific counselling sessions with men and women who have experienced and are constantly experiencing domestic violence in the home as a result of drug and alcohol abuse by either partners and/or their young children.

274. The Commission also runs sensitization programmes and workshops in the communities to educate women on their rights. In 2009, a series of workshops were held to disseminate the African Union (AU) Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa. Collaborative partners have been formed with other NGOs especially Faith Based Organisations, and local authorities for the mobilization of participants in the communities. Collaboration is also active and ongoing with the Gender Secretariat of the Social Development Department. The Secretary General of the Commission is a member of the NGMT.

Article 8: International representation

275. The Constitution and laws of Seychelles do not make any distinction between local and international work. All avenues of work in the public service and parastatals are open to suitably qualified men and women, as stipulated in article 35(b) of the Constitution under the ‘Right to Work’ and Public Service Order 30 (see article 11).

276. A few women have distinguished themselves in the service of their country locally and abroad. The Minister for Foreign Affairs, the highest diplomatic position, was headed by a woman, Mrs. Danielle de Saint Jorge for eleven years from 1986-1997.

277. Women are well represented in the diplomatic cadre of the Ministry of Foreign Affairs as seen in table 7 below.

Table 7: Diplomatic cadre of Ministry of Foreign Affairs, by sex

<i>Position</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
First Secretary	2	1	3
Second Secretary	0	4	4
Third Secretary	2	1	3
Assistant third Secretary	1	0	1
TOTAL	5	6	11

Source: Ministry of Foreign Affairs' Records

278. The following posts in the Ministry of Foreign Affairs are also occupied by women:

- Technical Adviser (two posts);
- Diplomatic Attaché;
- Press Attaché;
- Director of Protocol Section;
- Director General of the Development and Regional Integration Division; and
- Director General of Administration and Finance Division.

Appointment of ambassadors

279. According to article 64(1) of the Constitution, it is the President with the approval of a majority of members of the National Assembly who appoints a person as Ambassador, High Commissioner or any other principal representative to represent Seychelles abroad.

280. Women, however, remain disproportionately represented as ambassadors. During the 80's, Seychelles had two woman ambassadors, one serving in the USA and one resident Ambassador accredited to France. There were no woman ambassadors appointed during the 90s and early 2000. Seychelles closed many of its missions abroad because of tightened budgets.

281. From 2007-2009, Seychelles appointed one woman Ambassador based in South Africa. The appointment was significant from a gender perspective. Seychelles made its re-entry into the SADC community during the period and the President of the Republic signed the SADC Gender and Development Protocol in August 2008. It is currently in the final stages of being ratified.

282. In 2009, Seychelles had six diplomatic missions abroad: China, France, India, USA, South Africa and Belgium. The head of mission in Brussels is currently a woman. As Ambassador to Belgium, she is accredited to the Netherlands and Luxembourg and is also the permanent representative to the European Union (EU) and European Commission. The Belgium posting is one of the most important missions because of the strong partnership and on-going aid assistance programme with the EU.

283. Since the start of the EU cooperation with Seychelles in 1997, the country has received some €25 million under the European Development Fund (EDF) to support projects in environment, health, governance, capacity building and health both for state and

non-state actors. The EU has shown strong support for the macroeconomic reforms and is one of Seychelles closest allies in the fight against piracy in the Indian Ocean.

Participation in international delegations

284. There are no statistics available for the number of women who head or participate in international delegations. Men and women are chosen to represent the country in relation to their job functions. It can be noted however that very few women are included in high level delegations related to finance, the economy and state security. This is a reflection of the low level of women holding high positions in those sectors.

285. There have been no studies to reveal structural barriers that may be impeding women's progress in these sectors. Such a study would be necessary to uncover hidden biases.

Women directors/mangers of tourism offices abroad

286. The tourism industry, one of the pillars of the Seychelles economy (Seychelles 2017 Strategy)³⁵ is driven by women. Women head the tourism offices in Europe, Italy, South Africa, UK, Scandinavia, Asia and Australia. The large majority of newly appointed Tourism Ambassadors³⁶ (22 out of 32) are females.

International Organizations

287. There are 12 international organizations with representatives/liaison officers based in Seychelles or neighbouring countries. Two of them are represented by Seychellois women. They are the Secretary-General to the Seychelles National Commission for UNESCO and the UNDP Programme officer.

288. An ex-woman minister, Mrs. Simone de Commarmond is the current Chairperson and one of the founding members of FAWE (Forum of African Educationalists), one of the most prestigious Pan African NGOs supporting girls' education in Africa. She is also President of the Commonwealth Foundation based in UK.

Factors and difficulties

289. Women's participation in the diplomatic service has not been raised as an issue in Seychelles. Informal discussions with females working in the Ministry of Foreign Affairs reveal that many women opt out of opportunities presented for long overseas travels and assignments because of responsibility for children and the home. Men are not constrained by the same responsibilities at home and are therefore looked upon more favourably by employers. Studies are needed to confirm this perception. It is a fact that the profiles of women diplomats have to date been one of single or divorced women.

Article 9- Nationality

290. Articles 7 to 14 of the Constitution of Seychelles relate to citizenship. The Citizenship Act 1994 endorses the egalitarian provisions regulating citizenship in the Constitution. Women have equal rights to acquire, change or retain their nationality. This right is not affected by the husband's nationality or dissolution of marriage. Seychellois

³⁵ An economic strategic plan to double Seychelles GDP by 2017 through focus on fisheries, tourism expansion and development of financial services industry.

³⁶ Seychellois residing overseas who are appointed to promote Seychelles through various activities on a voluntary basis.

women also have equal rights to transmit citizenship and determine the nationality of their children.

291. Women and men have the same right to gain residency and employment for their spouses in situations where the spouse is a non-national. However, priority is given to Seychellois nationals in respect to employment. A woman has the right to obtain a passport without the permission of her husband or male guardian. Any of the two parents (i.e. father or mother) can give authorization for the issuance of a passport to a minor child.

Acquisition of nationality

292. There are four ways to become a citizen of Seychelles: continuation, birth, naturalization and registration.

293. Article 7 of the Constitution validates the continued citizenship of all persons who were citizens the day the Constitution came into force in 1993:

“A person who, immediately before the coming into force of this Constitution, was a citizen of Seychelles by birth, descent, naturalization or registration shall, on and after that date, continue by virtue of this article to be a citizen of Seychelles by birth, descent, naturalization or registration, as the case may be.”

294. Article 8 provides the right to citizenship for a person born in Seychelles on or after coming into force of the Constitution:

“Subject to Art 9, a person born in Seychelles on or after the coming into force of this Constitution, shall become a citizen of Seychelles.”

295. Limitations to article 8 (stipulated in article 9) apply to both parents.

- If at the date of birth, neither of the parents is a citizen of Seychelles
- Either parents are:
 - An envoy of a foreign sovereign power accredited to Seychelles
 - A citizen of a country at war with Seychelles and birth occurs in a place under occupation and neither of the parents is a citizen of Seychelles.³⁷

Change/ retention of nationality

296. Section 10(1) of the Citizenship Act allows for **any** person to renounce citizenship:

“A citizen, not being a child, who- (a) is a citizen of another country; or (b) satisfies the Minister that the citizen will, after renouncing the citizenship of Seychelles, become a citizen of another country, may make a declaration of renunciation of the citizenship and the Minister shall,... cause such declaration to be registered.”

Article 13(1)c of the Constitution

“Provisions may be made by or under an Act: for the renunciation of citizenship of Seychelles by any person.”

S 10(4) Citizenship Act

“Where a person who has satisfied the Minister as provided in paragraph (b) of subsection (1) does not thereafter become a citizen of another country within 6 months from the date of registration of the declaration of renunciation, the person shall be, and be

³⁷ Art 9 (1)

deemed to have remained, a citizen of Seychelles, notwithstanding the registration of the declaration of renunciation.”

297. A person can become a citizen of Seychelles through marriage. The same principles apply to men and women.

Article 12 of the Constitution: Marriage to a citizen of Seychelles

(1) “A person who, on or after the coming into force of this Constitution, marries another person, who is or becomes a citizen of Seychelles shall, subject to any Act, be eligible to become a citizen of Seychelles by naturalisation.

(2) Clause (1) shall apply to a person who is not a citizen of Seychelles or eligible to become a citizen under Art 10, and who, on or after Independence Day, and before the coming into force of this Constitution, married another person who was or became, or who becomes, a citizen of Seychelles, as it applies to a person such as is referred to in clause (1).”

298. Article 13(2) makes provision for dual citizenship:

“A person who is a citizen of Seychelles may concurrently possess the citizenship of another country and a law made for the purposes of clause 1(a)³⁸ shall not require, as a condition for the acquisition of citizenship, that a person renounces any other citizenship that the person may possess at the time.”

299. Article 13(1) makes provision for the acquisition of citizenship by other persons through registration under relevant laws.

Nationality of the children

300. Constitutional provisions for conferring nationality to natural and adopted children are gender sensitive and mention both father and mother or parents and guardians irrespective of sex.

Article 11 of the Constitution: Person born outside Seychelles after this Constitution

“A person born outside Seychelles on or after the coming into force of this Constitution shall become a citizen of Seychelles at the date of birth if at that date the person’s father or mother is a citizen of Seychelles.”

Article 10A of the Constitution: Persons born outside of Seychelles after Independence Day but before 5 June 1979

“A person born outside Seychelles on or after the Independence Day but before 5th June, 1979 whose mother was a Seychellois at the time of the person’s birth is eligible to become a citizen of Seychelles by naturalisation or registration.”

301. Article 10A is an amendment to the Constitution and was made to address discrimination which allowed only children whose Father was a Seychellois between specific dates in article 7 of the 1976 Constitution to become Seychellois. The amendment brings equality to the issue. However, article 10A does not give automatic citizenship to those persons compared to those in article 7 of the 1976 Constitution.

S 3(1) Citizenship Act: Citizenship by adoption

“A child adopted, on or after the commencement of this Act, under any law relating to the adoption of children, shall, if the child was not a citizen on the date of adoption,

³⁸ Clause 13(1)(a) Acquisition of citizenship

become, on that date a citizen by adoption if, on that date the adopter was, or in the case of joint adoption, one or both of the adopters were, a citizen or citizens.”

S 4(2) Citizenship Act: Citizenship of a child by registration

“A child of a citizen may, on application by the parent or guardian of that child, be registered as a citizen.”

S 67 Children Act: Citizenship³⁹

“Where an adoption is made in relation to a child who is not a citizen of Seychelles but the adopter or, in the case of a joint adoption one of the adopters, is a citizen of Seychelles, the child is a citizen of Seychelles as from the date of adoption.”

Factors and difficulties

302. Overall the provisions of the laws on citizenship conform well to the Convention and no major issues have been raised during the review period. The Constitution Review Committee calls for stricter rules for granting citizenship by naturalization and registration in order to maintain demographic balance and restrict benefits to people who have ongoing links with Seychelles. These limitations apply to both men and women. Developments will need to be monitored for gender sensitivity.

Article 10 - Education

303. The Right to Education for every citizen is guaranteed under article 3 of the Constitution. To effectively realize the right, the state undertakes:

Box 6: Right to education

- (a) To provide compulsory education which shall be free in State schools for such minimum period which shall not be less than ten years as may be prescribed by law.
- (b) To ensure that educational programmes in all schools are aimed at the complete development of the individual.
- (c) To afford, on the basis of intellectual capability, every citizen equal access to educational opportunities and facilities beyond the period of compulsory education.
- (d) To allow subject to such reasonable restrictions, supervision and conditions as are necessary in a democratic society, any person, organization or institution to establish and maintain a private school.
- (e) To respect the right of parents to choose whether to send their children to a state or private school.

Same conditions for career and vocational education guidance, access to studies and achievement of diplomas

304. The Education Act⁴⁰ lays down procedures for management of schools and educational establishments in line with educational goals and objectives. The educational goals and objectives detailed in subsection (2) are as follows:

³⁹ As amended by Act 4 of 1998

⁴⁰ Act 13 of 2004

(a) The establishment of a comprehensive system of education and training reflecting universal and national values which promote the complete development of the person and equip the person to participate fully in social and economic development;

(b) The establishment of institutions for achieving the goals referred to in paragraph (a);

(c) The execution of the education policy of Seychelles.

305. Article 40 of the Education Act further states that “all persons are entitled to receive an educational programme appropriate to their needs in accordance with this Act and regulations made there under.”

306. The importance of vocational guidance and training is recognized in article 35 of the Constitution under the Right to Work in the following terms:

“The State recognises the right of every citizen to work and to just and favourable conditions of work and with a view to ensuring the effective realisation of the right undertakes –

- to promote vocational guidance and training:”

307. From 1984, educational policy was guided by the following principles ‘Education for All, Education for Life and Education for Personal and National Development’. Emphasis was placed on redressing past inequalities of an elitist system, widening access to education, creating equal opportunities for all and building a comprehensive educational system. In 2000, the ministry launched its new policy on education putting emphasis on an inclusive education agenda. The seven principles which were to guide the Ministry of Education were listed as equity, quality, and accountability, education for empowerment, education for productivity, education for social cohesion and education for global participation.

308. The principle of equity is clearly defined as:

- Equality of access to compulsory education;
- Equitable sharing of resources;
- Equal opportunity/creating conditions for optimum achievement according to ability and career aspirations;
- Ensuring that the context, content and medium of education are equally favourable to boys and girls; and
- Catering for special needs/working towards greater inclusion of the learning disabled.

309. Government is thus committed to providing all citizens with broad based education and training for personal and national development. Government goes further than ensuring equality of access to both genders. In 2002 the Ministry of Education launched Plan of Action for Gender Equality in Education 2002-2015. It commits itself to ensuring that all the processes of schooling (content, medium and context) are gender responsive. Students with disabilities and those presenting learning difficulties are also entitled to special programmes according to their needs.

310. Since 2009, a major education reform has been under way to further improve the relevance and quality of education in order to meet the skilled manpower needs of the country and to increase community participation in education.

311. Education is a high government priority. Table 8 shows public expenditure on education from 1998 to 2006. However, the bulk of the education funds (80 per cent) are allocated to personal emoluments, which leave limited funds for operational costs and

resources. Furthermore, given the high GDP and HDI ranking, it is difficult for the country to source funds from international funding agencies.

Table 8: Public expenditure on education as a percentage of total public expenditure and of GDP

<i>Public expenditure on education as % of:</i>	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total public expenditure	23.7	20.4	19.6	19.1	25.5	20.9	18.8	19.2	18.2
GDP at Market Prices	5.3	4.6	4.1	4	4	4.1	4.1	4.2	4.5

Source: Policy and Planning Unit, Ministry of Education

The Structure of the education system

312. The main characteristics of the education system for the last two decades have been:

(a) A comprehensive co-educational system available free of charge to all Seychellois children from the age of 3+ to 16+ years of age and attended by nearly 100 per cent of children in this age group;

(b) A system of further and higher education available free of charge to all Seychellois students who meet the criteria appropriate to a particular course of training for which the student applies.

Crèche (Pre-school Education)

313. Crèche education is two years' duration for all children aged 3½ to 5½ years and is available free of charge in all districts. Although crèche education is not compulsory, almost all children in this age group attend. There are 32 crèches located in separate buildings but under the management of primary schools.

Primary Schools

314. Primary education is of six years (P1 – P6) and is compulsory for all children. A system of zoning makes it compulsory for children to attend school in the family's district of residence. There are 25 primary schools. Pupils are assessed through national examinations at the end of Primary 6.

Secondary Schools

315. Secondary school is of five years' duration (S1-S5.) It is compulsory up to Secondary 4 and is followed in regional secondary schools. There are 10 regional secondary schools: eight on Mahe and one each on Praslin and La Digue.

Further education and training

316. Further education and training is provided in a number of institutions. These are principally the Seychelles Polytechnic, the School for Advanced Studies, the National Institute of Education, the Seychelles Institute of Technology, the Seychelles Tourism Academy, the National Institute of Health and Social Studies, the Seychelles Agriculture and Horticultural Training Centre and the Maritime Training Centre. Some are under the responsibility of the Ministry of Education and others under the parent ministry.

317. The country has a small private school system. After the restoration of a multi-party democracy in 1993, the government liberalized its policy on private schools, which started

admitting Seychellois children. There are currently three private schools and approximately 5 per cent of the school population attends private primary/secondary school.

318. Up to 2009, Seychelles had no university. A number of linkage programmes with universities in UK, France and Australia enabled students to study for degree courses through split site training and distance education. The University of Seychelles is currently being set up. The first batch of students started courses in September 2009. It is expected that the university will provide skilled professionals to meet the expanding human resource needs of the country and cut down on the heavy costs involved in sending students for studies overseas and reduce brain drain.

319. Equality of access to education has been achieved. The government's policy of free and compulsory 'education for all' has ensured that both girls and boys from ages 3+ to 16+ have access to primary and secondary schooling and nearly 100 percent of children in this age group attend school. At the tertiary and post secondary levels, girls continue to be equally well represented as is shown in table 9. From 1997 onwards, there are more girls than boys attending post secondary institutions.

Table 9: Enrolment in schools, by school level, year and sex

	<i>No: of Girls</i>				<i>No: of Boys</i>			
	1994	1997	2002	2008	1994	1997	2002	2008
Primary	4758	4630	4699	4328	4926	4774	4924	4416
% Females	49.1	49.2	48.8	49.5	50.9	50.8	51.2	50.5
Secondary	3768	3663	3758	3811	3728	3855	3767	3731
% Females	50.3	48.7	49.9	50.5	49.7	51.3	50.1	49.5
Post Sec.	804	698	813	1209	898	640	691	921
% Females	47.2	52.2	54.1	56.8	52.8	47.8	45.9	43.2

Source: Policy and Planning Unit Ministry of Education

Table 10: Ratio of girls to boys in education institutions

	<i>Primary*(excluding crèche)</i>			<i>Secondary</i>		
Year	M	F	M/F	M	F	M/F
1993	4,981	4,698	1.06:1	3,669	3,668	1:1
1997	4,774	4,630	1.03:1	3,855	3,663	1.05:1
2001	4,988	4,794	1.04:1	3,701	3,813	0.97:1
2005	4,754	4,450	1.07:1	3,954	3,941	1:1
2007	4,313	4,497	0.96:1	3,898	3,918	0.99:1

Source: Policy and Planning Unit, Ministry of Education

Access to vocational schools

320. Although more girls are enrolled in post secondary training institutions, they remain traditionally clustered in female oriented schools such as the Seychelles Tourism Academy, the National Institute of Health and Social Studies, and the School of Education. Positive changes however have been noted in the enrolment figures for the Maritime Training Institute, the Seychelles Agriculture and Horticultural Training Centre and the Seychelles Institute of Technology previously male preserves.

321. From 1994 to 2009, the percentage of women in maritime studies increased from 4 per cent in 1994 to 34 per cent in 2009. At the Seychelles Institute of Technology, the

percentage of females rose from 0 per cent in 1994 to 8.7 per cent in 2009 and at the Seychelles Agriculture and Horticulture Training Centre, 45 per cent of the students were females in 2009. According to the head of the MTI, the increase in girls' enrolment is the result of a review of the course content which provides more opportunities for girls to take up careers as marine park rangers, marine biologists and divers. There were more girls on the advanced courses in navigation and fisheries as girls were also finding job opportunities on leisure boats and yachts. The prizes for best performer on the Navigation and Seamanship course and the fisheries course in 2009 were won by women.

322. Girls who have opted for courses in building, construction or engineering have fewer employment opportunities. According to the head of the Institute, engineering and construction organizations in general have been reluctant to employ girls because they have to provide extra facilities on construction sites and consider women to be disruptive for male workers. One initiative has been for the Institute itself to recruit some of its graduates from the construction, telecommunications, painting and plumbing courses to become teachers at the school. Some of the girls are now degree holders and good role models for the school.

323. Although Agriculture has a higher enrolment rate for girls there are no records of the number of girls who find employment in agriculture or remain in the job. The absence of sex disaggregated data in the agricultural sector makes it difficult to measure the contribution of women.

Access to careers guidance and counselling

324. Considerable efforts have been made in the Seychelles secondary schools to enhance careers guidance provisions. In 1997, a Careers Unit was set up in the Ministry of Education under the Education Planning Division to develop, implement and monitor a Careers Education and Guidance (CEG) programme in secondary schools. In 2004, the unit was transferred to Schools Division to ensure better implementation of the programme in schools. The unit has since been upgraded to become a section under the Schools Division with its own Director.

325. Careers education is one of the four strands of the Personal and Social Education (PSE) Programme launched in schools since 1998. Age related information on careers and life skills is provided to all age groups. From 1999, a forty-minute period was allocated specifically for Careers Guidance at Secondary four and five. The PSE in the Seychelles National Curriculum, (2001:63) describes CEG as a "developmental process which should assist individuals to play an active role in the development of their own potential, based upon their interest, aptitudes and ability while keeping in view the available opportunities and human resource needs and priorities. It has a central role in preparing young people for adult life. An effective careers education and guidance programme should be based on self evaluation, widening horizons, making choices and managing transitions" (Ministry of Education 2001).

326. Trained CEG teachers take regular classes, as well as conducting interviews with students and parents. The section works closely with the schools to ensure that students are provided with an effective programme and have access to relevant careers information. The section also coordinates most of the activities for the transition of Secondary Students (SS) to Post Secondary Institutions (PSI). Some of the activities are: information talks by post secondary institutions to secondary students; open days at PSI and SS; course interviews; work experience and work attachment for some students; assisting schools with their careers interventions and advising students, parents and school leavers upon request.

327. For the past fifteen years, annual Careers Weeks organized jointly with the National Human Resources Development Council (NHRDC), has been one of the main activities on the section's calendar aimed at helping students make informed career decisions and

strengthening the links between educational institutions and work organizations and other agencies (private and public sector). Organized under different themes such as ‘Value all jobs: meeting the manpower needs of the country.’ The annual careers weeks provide information on job opportunities in unbiased ways.

328. The CEG programme is judged to be quite successful because for three consecutive years (2006, 2007 and 2008), the majority of the students in the surveyed secondary schools were enrolled on their first course choices to post-secondary schools. However teachers have raised concerns over the lack of resources and space, and management and whole school support for the programme.

Access to the same curricular, same examinations, teaching staff with same qualifications and school premises and equipment of the same quality

329. The building of a comprehensive, integrated, and inclusive co-educational system has characterized educational development in Seychelles for over two decades. One of the first important reforms undertaken by the government since 1997 was abolishing school fees and undertaking a system of zoning making it compulsory for all children to attend primary schools in their district of residence. A major building and renovation programme was initiated and government invested heavily in teacher training and upgrading of staff. Free meals, subsidized uniforms and transport expanded opportunities for all children. Centralized staffing and resourcing policies have ensured that all schools are equitably staffed and resourced within the limits of available resources and that no school is disadvantaged. Consequently girls and boys have access to the same curricular, same examinations, teaching staff and school premises and equipment of the same quality.

330. All schools in Seychelles (State and private) from day care centres to post secondary/tertiary level are co-educational and teaching is routinely delivered in mixed classes. The practice of streaming by ability resulted in some top ability classes being heavily dominated by girls in secondary schools. This practice has been abolished since 2006 and all schools are encouraged to organize gender balanced classrooms.

331. Seychelles has had a centrally planned national curriculum since 1978 under the responsibility of the Curriculum Development Section (CDS) in the Ministry of Education. Following a major review of the curriculum in 1999/2000, responsibility for curriculum development was shifted to the newly established National Institute for Education (NIE) under its triple mandate of teacher training, curriculum development and educational research.

332. The national curriculum is set out in a number of documents comprising a National Curriculum Framework (2001) a series of subject based curriculum documents and sets of programmes of study for each subject to guide schools in planning for effective teaching and learning. The framework describes the underlying principles, content, skills and attitudes to be promoted throughout the curriculum. It also outlines the policy for assessment at school and national level. Besides defining what children will learn, the curriculum ensures consistency in classroom practice.

333. The first principle of equal opportunity states that: “The national curriculum will recognize the uniqueness of each individual and the fact that individuals learn in different ways and at different rates. It will respond to the needs of different learning styles and to the experiences and interests of all students irrespective of their gender, race, religion, background, social or financial status”.

334. The responsibility for developing curriculum materials according to the needs of their pupils rests with schools. Schools are encouraged to ensure that curriculum materials developed at school level ‘reflect the interests, experiences, and learning styles of both girls and boys’.

335. Two units in the teacher training programme ‘Human Rights Education’ and ‘Gender and Adolescent Reproductive Health Education’ address gender. However gender is not effectively mainstreamed in all teacher teaching programmes because of lack of skills.

336. Girls outperform boys at school at both primary and secondary levels. Between 2000 and 2008 the mean difference between exams marks at the end of the primary level ranged between 8.5 per cent in 2005 to 14.2 per cent in 2006. Moreover, girls outperform boys in all subjects including math and sciences, which are in other countries male preserves of performance. Research of the Southern and Eastern Africa Consortium for Monitoring Education Quality (SACMEQ) has shown that while girls scored significantly better than boys in reading in a number of Countries besides Seychelles, such as Botswana, South Africa and Mauritius; Seychelles was the only country where girls scored significantly higher than boys in mathematics⁴¹.

337. This pattern is repeated at the secondary level. Girls record higher rates of participation and better performance in the Cambridge International General Certificate of Secondary Education (IGCSE) examinations, which students sit for at the end of the secondary cycle (3.48 passes for girls against 2.89 for boys in 2007). The mean number of subjects in which the girls achieved principal passes is also higher than that of boys in all cases. Girls also achieved higher results. In 2007, thirty percent of girls achieved principal passes in four or more subjects against only 17 per cent of the boys.

338. Research explained under article 5, has been undertaken to determine reasons for boy’s underperformance and to suggest strategies for gender inclusive teaching and learning.

Staff profile and training

339. Table 11 shows the number of teachers by sex and nationality in state schools in 2008. The composition and profile of the teaching staff has changed very little over the years as school population rates have remained fairly stable. Crèche teachers are 100 per cent female. The percentage of women at primary level has fluctuated between 84 per cent to 86 per cent between 2004 and 2009 and 51 per cent to 57 per cent at secondary level. At post secondary level, the percentage of women has ranged from 33 per cent to 35 per cent. Efforts at encouraging more male teachers to join early childhood teaching have been largely unsuccessful. The student teacher ratio has also remained fairly constant at 15:1 at crèche level, 14.1 at primary level, 13.1 at secondary and a very healthy 10:1 at post secondary level.

340. Although the teaching profession is largely feminised especially at lower levels, stereotyping by subject specialization exists at the secondary level. In 2009, while 79 per cent of the English teachers, 78 per cent of French teachers and 91 per cent of PSE teachers are females, women account for only 34 per cent of maths teachers, 44 per cent of science and 35 per cent of Information Technology teachers.

⁴¹ EFA, ‘Gender equality in reading and mathematics achievement. Reflecting on EFA Goal 5.’ *IIEP Newsletter*, April-June 2004

Table 11: Number of teachers in 2008, by sex and nationality (government schools)

	<i>Local</i>			<i>Expatriate</i>			<i>Total</i>		<i>Both Sexes</i>
	F	M	Total	F	M	Total	F	M	
Crèche	178	0	178	0	0	0	178	0	178
Primary	486	82	568	0	0	0	486	82	568
Special Education	24	2	26	0	0	0	24	2	26
Secondary	283	169	452	52	48	100	335	217	552
Post Secondary	30	59	89	10	20	30	40	79	119
Total	1001	312	1313	62	68	130	1063	380	1443

Source: Policy and Planning Unit, Ministry of Education

Table 12: Number of teachers by qualification and level, 2009

<i>Qualification</i>	<i>Crèche</i>	<i>Primary</i>	<i>Special Education</i>	<i>Secondary</i>	<i>Post Secondary</i>	<i>Total</i>
Master level and higher qualification	0	3	1	52	23	79
Overseas diploma (Non-Education)	1	1	0	7	25	34
Local diploma (Non-Education)	0	2	1	6	9	18
Local education diploma I	21	160	3	7	2	193
Local education diploma II	19	186	2	181	15	403
University degree (Education)	4	13	1	265	31	314
University degree (Non-Education)	0	1	1	27	13	42
Certificate in education	97	173	8	34	1	313
Uncertificated (Supply)	51	85	9	17	0	162
Total	193	624	26	596	119	1558

Source: Policy and Planning Unit, Ministry of Education

341. Table 12 shows the number of teachers by qualifications and level. Approximately 90 per cent of teachers have teacher training qualifications and 28 per cent are trained to degree level and above. The majority of the untrained teachers are at crèche and primary level. In spite of the heavy investment there are acute shortages of teachers especially at the secondary level. 25 per cent of staff at this level is made up of expatriates. Government has recently reviewed the Teachers Scheme of Service to make it more attractive for teachers and to retain staff.

Women in management positions in schools

342. This is one area of management where women predominate. In 2009, women made up 92 per cent of head teachers in primary schools and 80 per cent of secondary head teachers. Female managers in state schools accounted for 98 per cent at primary level and 80 per cent at secondary level. All head teachers hold masters degree in educational management.

The elimination of gender stereotypes from text books

343. Gender equality does not only mean that boys and girls have equal access to schooling. It means that the processes of education must be empowering and geared towards changing stereotypical expectations of boys and girls and transforming gender relations and the unequal positioning of the sexes in society. The Ministry of Education is fully aware of this critical role of education in shaping gender identity and gender relations. Since 1994, it has taken a number of steps to build equality in the processes of schooling and ensuring that those involved in schooling do not perpetuate practices that promote inequity and restrict the potential of girls and boys. These have included:

- Setting up of gender focal point and appointment of a Gender in Education committee in 1996;
- Development of a Gender Strategy and Action plan which consists of a two-pronged strategy a) Gender sensitization and capacity building b) Mainstreaming gender in education;
- A reviewed Gender Action Plan 2005-2015 to respond to the EFA goals; and
- Pilot studies in 2008 and 2009 to make secondary schools more gender inclusive.

344. Throughout 1996 and 1997, gender sensitization workshops were held for all categories of staff in education. Key groups of staff like curriculum developers, careers guidance teachers, Heads of Polytechnic Schools, teacher trainers and classroom teachers from all levels followed the sensitization programmes. In all, over 450 staff was targeted. The programme has had a major impact on raising awareness of gender in education.

345. Locally produced materials are screened for gender sensitivity and teachers have been trained to challenge stereotypes where they exist. Gender analysis checklists were made available to all schools in 1996 following staff sensitization workshops. With the introduction of the School Improvement Programme in 2000, schools integrated gender into their school development plans. The gender committee has however been inactive for a few years.

Same opportunity to benefit from scholarships and study grants

346. Scholarships and grants are currently managed by the National Human Resources Development Council (NHRDC). Criteria for award of government scholarships are based on a point system which combines academic performance, behaviour and active participation and on the recommendation of the employer in the case of in-service students. There are no gender considerations for the award of scholarships. Records obtained from the NHRDC show that from 1992 to 2010, 708 females as compared to 639 males benefited from scholarship for overseas or local training.

347. A fair degree of stereotyping in course choices is however apparent from examination of the list of returning graduates. Fields such as languages (English and French), Geography, Human Resources Management, Social Sciences, Social work and Educational Leadership are very heavily dominated by women. The large majority of graduates in the field of civil and mechanical engineering, telecommunication engineering, building and construction, aircraft engineering, computer science, pilot and aviation studies

and fisheries are men. Numbers are more balanced for areas such as law, medicine and business studies.

Same access to programmes of continuing education

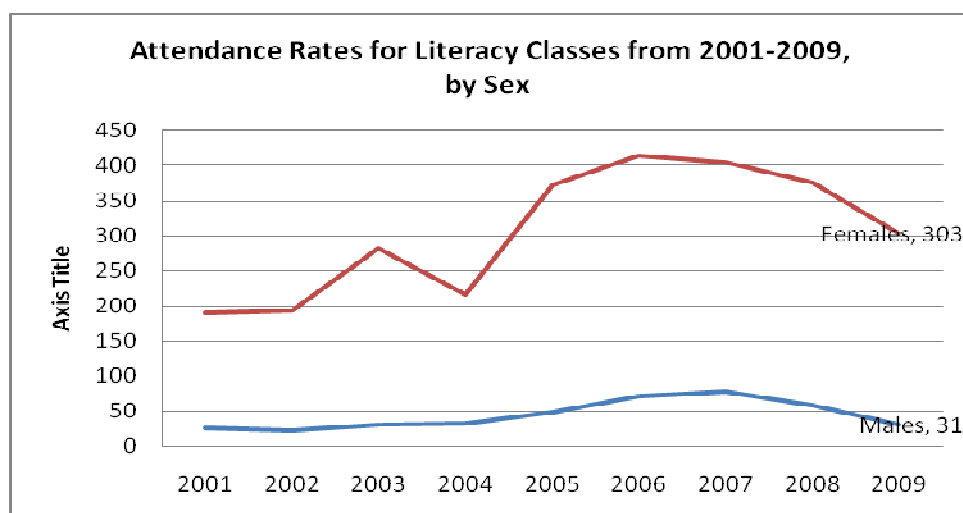
348. Continuing education and adult and functional literacy programmes are offered by the Adult Learning and Distance Education Centre (ALDEC), originally the School of Continuing Education set up in 1983 under the Ministry of Education. The main objectives of the School of Continuing Education were to upgrade the academic and occupational skills of adults, provide retraining for new occupations as well as language skills needed for everyday communication and overseas training. The Centre's name was changed to the ALDEC in 1999. Its main objectives under an expanded mandate are to:

- (a) Provide and promote affordable, accessible and continuing quality education to out-of-school youths and adults to enable them to contribute more fully to their own and the nation's overall development;
- (b) Provide for the acquisition of functional literacy skills to improve the quality of life of all adults and out-of-school youths;
- (c) Provide learning opportunities to help develop the capacity of individuals to participate more effectively in the process of change;
- (d) Contribute to the development of a lifelong learning culture among all citizens;
- (e) Provide education and training opportunities to further knowledge, improve/develop skills, or further vocational interests;
- (f) Advocate for adult and continuing education programmes and functional literacy programmes;
- (g) Provide diverse and creative educational programmes and learning experiences consistent with the needs of adult learners;
- (h) Assist Ministries and organizations with provision and implementation of in-service staff development programmes.

349. ALDEC is organized under three main programme areas: Literacy programmes, distance education and in-service and short courses. All three are largely subscribed by women.

Literacy programmes

350. Literacy programmes are offered free of charge to all citizens in all districts of the country and in certain work organizations and the prison. Courses are offered in English, French, Creole and Mathematics at three levels. ALDEC records show that the large majority of participants as from 2001 when statistics were disaggregated are women. The large majority of literacy instructors are also female.

Figure 3: Attendance rates for literacy classes from 2001-2009, by sex

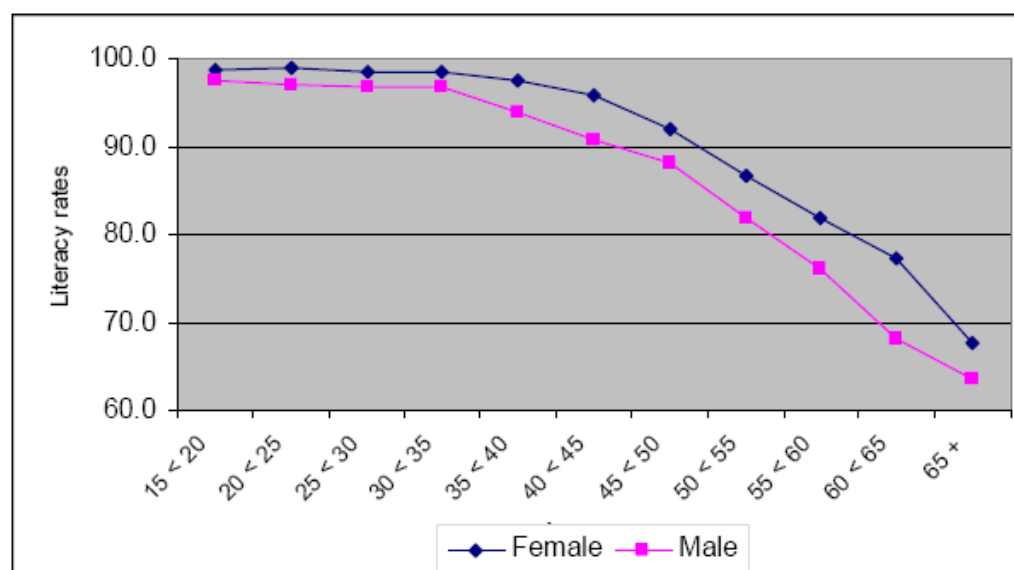
Source: ALDEC Data base

351. The introduction of literacy classes has had an impact on national literacy rates which increased from 61.1 per cent in 1971 to 91.1 per cent in 2002. Women's greater participation in literacy programmes is seen to have a beneficial impact on their literacy rates. Taken globally, the literacy rate for men and women is almost the same. (90.1 per cent and 91.9 per cent respectively). However literacy rates for older women aged 55 and above are higher than those of men in the same age group. In the 60 to 65 age group, this difference amounts to 9.3 per cent. Literacy rates for both sexes however decrease according to age. The age differentials are shown in tables 15 and Figure 4.

Table 13: Literacy rates for persons above 15, by age group and sex

Age Group	Both sexes (%)	Female (%)	Male (%)	Sex differentials
15<20	98.3	98.9	97.7	1.2
20<25	98.1	99.1	97.2	1.9
25<30	97.7	98.6	96.8	1.8
30<35	97.6	98.5	96.8	1.7
35<40	95.8	97.5	94.0	3.5
40<45	93.2	95.8	90.9	4.9
45<50	90.0	92.1	88.1	4.0
50<55	84.2	86.8	81.9	4.9
55<60	79.0	81.9	76.1	5.8
60<65	73.2	77.4	68.1	9.3
65+	66.0	67.6	63.5	4.1
Total	91.0	91.9	90.1	1.8

Source: NSB, National Population and Housing Census 2002

Figure 4: Literacy rates for population aged 15 years or more, by sex

Source: NSB, National Population and Housing Census 2002

Distance education and in-service:

352. This area caters for individuals who wish to follow University level courses from international universities. These are done by distance and ALDEC acts as the supporting agency for students. Further to that, ALDEC is developing short online courses to meet the needs of adult learners. ALDEC also offers a wide variety of short courses either as in-service programmes for organizations or for individuals. Women make up 65 per cent of participants enrolled on distance education courses and over 90 per cent of participants enrolled on short courses.

The reduction of female dropout rates

353. Female dropout rates were not considered a matter of concern in the 90s because of the very small numbers of girls dropping out of school. However recent figures from the Student Support Unit in the Ministry of Education show that numbers are on the increase both for girls and boys. Table 14 shows the number of students dropping out of schools before they complete secondary five⁴² Figures in brackets show the number of students who dropped out because of pregnancy.

Table 14: Student drop outs from 2004-2009, by sex

	Male	Female	Total
2004	35	31	66
2005	34	44	78
2006	66	30 (5)	96
2007	44	40 (11)	84

⁴² Compulsory education ends at Secondary 4 level. Many students opt to exit at this point in order to seek employment or join apprenticeship schemes.

	<i>Male</i>	<i>Female</i>	<i>Total</i>
2008	57	50 (25)	107
2009	68	42 (8)	110

Source: Student Support Services Ministry of Education

354. However other studies show that dropout rates are under reported because of the quality of records kept by schools and the fact that some schools prefer to maintain silence on the exit of the most 'difficult' students. The Nolan report⁴³ reported that as many as 21 per cent of the school population drop out before they complete secondary five because of the unsatisfactory technical/vocational curriculum provision and the emphasis on academic subjects which discourages the less academically oriented students.

355. There are a number of programmes designed to assist school drop outs. The Special Education Programme (SEP) was introduced in 2006 as a pilot project to encourage the less academically inclined students to continue their schooling by combining school with 3 days of practical immersion in the workplace. There were 42 boys and 25 girls enrolled on the programme in 2009. The Seychelles Tourism Academy apprenticeship schemes allow students to follow a career in tourism by combining short introductory theory courses with practical attachments in the industry. 170 students were enrolled on apprenticeship schemes in 2009. Adult education classes are available to all school drop outs.

356. A teenage pregnancy policy aimed at the reintegration of teenage mothers into secondary schools was introduced in 1995 and consequently revised in 2005 to provide more extensive support for the young mothers. The Teenage Pregnancy Support Policy (2005) establishes procedures, guidelines and regulations to be followed by schools, the Student Services Section in the Ministry of Education and Youth and the parents to assist them in decision making and providing support for students who become pregnant before completing their formal education cycle.

357. A study on teenage mothers in the Seychelles 2004-2008 was conducted by the Seychelles Association of Professional Women (SAWOP) in 2008 to gain insight into the level of support received by teenage mothers and evaluate the impact of the policy. The research team managed to interview only 37 teenage mothers out of the total of 81 reported pregnancies to teenage mothers during the years 2004-2008. The study revealed that out of the 37 interviewed only two had reintegrated school and 8 had found employment as waitresses or sales assistants. The other 27 were not in school or work. Reasons given for not reintegrating school were lack of finance, shame and embarrassment, inadequate information on the policy from the Ministry of Education, parental expectation of motherhood and lack of motivation. The results of the study will be used to review the policy and reinforce support structures which currently focus only on counselling without taking into account the financial and other needs of the young mothers.

Opportunities to participate actively in sports and physical education

358. Physical Education is one of the eight essential learning components of the national curriculum along with languages, mathematics, sciences, the arts, technical studies, social studies and personal and social education considered essential for a broad and balanced curriculum.

⁴³ A report on the capacity of the Seychelles Education and Training system's capacity to provide the human resources to achieve the objectives of the Seychelles Strategy, 2017, requested by the President.

359. Physical education is therefore a compulsory subject on the school curriculum and offered to all students as from primary one to the end of the compulsory cycle on the basis of 80 minutes per week for all students. Through PE, learners are given the opportunity to participate in a variety of individual (athletics, swimming, gymnastics) and team activities (basketball, football, netball, volleyball) to improve health and fitness, develop motor skills and learn the importance of competition and team work. The National Curriculum Framework (2001) stresses that all activities must be gender inclusive. There are no dress regulations or cultural barriers to girls' participation in physical education.

360. The annual interschool national athletics competition organized on Independence Day is an important activity on the school calendar. Boys and girls are provided with equal opportunities to compete for medals in over 80 track and field events.

361. Physical education is delivered by trained teachers at all levels of schooling. There were almost equal numbers of male and female PE teachers in schools in 2009 (36 females and 35 males). Female teachers show a marked preference for teaching at primary level. This is reflected in the distribution of 13 male and 28 female teachers at the primary level and 22 male and 8 female teachers at the secondary level.

Access to specific educational information to ensure health and well being of families

362. Information on the Family Life and Health Education component of The Personal and Social Education (PSE) programme in the National Curriculum has been described under article 5.

Informal curriculum

363. Outside the formal curriculum, trained school counsellors provide individual counselling on health-related issues to pupils who seek help or display risky sexual behaviour. Pupils requiring specialist help are directed to the Youth Health Centre counsellors or school health nurses who work closely with schools. The school counsellors and school health nurses also run class special sessions for groups of students, teachers and parents based on needs identified by individual schools. The concept of 'health promoting schools' has been actively advocated since 2002.

364. A successful adolescent Peer Education project focusing on promoting sexual and reproductive health was developed in May 1994 by the Ministry of Health. The programme managed by the Youth health Centre is currently being revamped. Teacher manuals and information packs have been produced by the Ministry of Health, National Institute of Education and the Red Cross Society of Seychelles. The training programme for peer educators focuses on broad issues of sexuality, encompassing topics such as:

- Relationships
- Communication
- Issues of adolescence
- Puberty and bodily changes
- Contraception
- Safer sex practices
- Sexually transmitted infections
- HIV/AIDS
- Substance use and abuse
- Basic counselling skills

- Problem solving and decision-making
- Personal values and attitudes

365. The Youth health Centre also actively engages the participation of peer educators and adolescents in the celebration of health theme days such as World AIDS Day, Breast Cancer week, World No tobacco Day and World food day. Activities include plays, sketches, motorcades, self breast examinations, and talks.

Article 11 - Employment

366. Seychelles ratified the ILO Convention No. 100, Equal Remuneration for Men and Women Workers for Work of Equal Value and No. 111, Discrimination in respect of Employment and Occupation on 23 November, 2000.

367. The right to work, to free choice of employment, to the same employment opportunities, to vocational guidance and training, to safe and healthy conditions of work and equal remuneration are guaranteed under Art 35 of the Constitution in the terms cited below and further elaborated upon in the Employment Act, 1995⁴⁴.

Box 7: Right to work

The State recognises the right of every citizen to work and to just and favourable conditions of work and with a view to ensuring the effective realisation of the right undertakes –

(a) To take necessary measures to achieve and maintain a high and stable level of employment, as is practical with a view to attaining full employment.

(b) Subject to such restrictions that are necessary in a democratic state, to protect effectively the right of every citizen to earn a dignified living in a freely chosen occupation, profession or trade

(c) To promote vocational guidance and training

(d) To make and enforce statutory provisions for safe, healthy and fair conditions of work, including, reasonable rest, leisure paid holidaysfair

368. The Public Services/ Parastatal Order 32: Employment of Women, reinforces the equal opportunities provision of the Constitution and the right to equal remuneration.

“All avenues of public service in the Public Service will be open to women who are suitably qualified and there will be no difference between the salary... of men and women employees of equivalent qualifications and experience, except that maternity protection shall be granted as provided in these Orders.”

Employment laws

369. The main pieces of legislation regulating employment are the Employment Act 1995 and the Conditions of Employment and Regulations 1991. Other aspects of work are governed by Occupational and Health Decrees 1991 and Industrial Relations Act 1994.

⁴⁴ The provisions of the Employment Act apply to a contract of employment for service in Seychelles or on a Seychelles ship or aircraft: a contract of employment entered into in Seychelles for service in an Agency of the Government or diplomatic mission of Seychelles abroad.

1(d) Equal benefits

370. Women have the same rights to all employment benefits under S 46 of the Employment Act: Employment benefits, which states:

(1) *“Workers under contracts of continuous employment are entitled to all employment benefits under this Act from the date of employment until lawful termination.*

(2) *Workers under contract of employment for a fixed-term are entitled to all employment benefits up to the day the fixed-term contract expires or the earlier lawful termination of the contracts, as the case may be.”*

1(e) Right to social security

371. Social security is a Constitutional right under article 37:

“The State recognises the right of every citizen to a decent and dignified existence and with a view to ensuring that its citizens are not left unprovided for by reason of incapacity to work or involuntary unemployment undertakes to maintain a system of social security.”

372. Social security entitlements are further stipulated in S 3(5) Social Security Act 1988⁴⁵ Person entitled to social security

“Subject to this Act-

(a) *a person who is a citizen of Seychelles and is resident in Seychelles;*

(b) *a person who is not a citizen of Seychelles, who contributes to the Fund⁴⁶ and is resident in Seychelles; or*

(c) *a person who is not a citizen of Seychelles and does not contribute to the Fund but who is a dependent and a member of the household of a person referred to in paragraph (a) or (b) and is resident in Seychelles, is covered under this Act in respect of contingencies in relation to which benefits⁴⁷ are payable under this Act.”*

373. Additional safety nets have been created to buffer the most vulnerable sections of the population against the effects of the macroeconomic reform programme embarked upon in 2008. S 10 Social Welfare Agency Act⁴⁸. Entitlement to social welfare allowance, clarifies eligibility:

“Subject to the provisions of this Act, any Seychellois citizen above the age of 18 years and resident⁴⁹ in Seychelles whose means are insufficient to meet his basic household needs may apply for social welfare allowance under s 11.⁵⁰”

374. Women constitute the greater proportion of beneficiaries for social welfare allowance. See article 13 for more information.

⁴⁵ As amended by Act 31 of 2008

⁴⁶ Social Security Fund as established under S 26 of the Act

⁴⁷ S 5 Social Security Act 1988: Benefits under this Act include sickness; maternity; injury; invalidity; disablement; survivors; funeral; retirement; dependent's; orphan's and abandoned child's benefits.

⁴⁸ Act 22 of 2008

⁴⁹ Means resident in Seychelles for an aggregate period of 11 months in a given year (S 10(2) Social Welfare Agency Act)

⁵⁰ Application for social welfare assistance

Safe and healthy conditions of work

375. Safe and healthy conditions of work are guaranteed for all workers under the Constitution (clause d above). The Occupational Safety and Health Decree (1978) impose a general duty on employers to ensure health, safety and welfare at work of the employees⁵¹. The Act also puts a duty on employees, whilst at work, to take reasonable care for the health, safety and well being of him and others⁵². The provisions of the Act apply to both men and women equally ensuring that employers provide appropriate measures to safeguard employees.

376. Sexual harassment is considered a health and safety issue, as well as a form of Gender Based Violence according to the Convention. While S 46B of the Employment Act⁵³ protects all employers generally from any form of harassment:

“An employer shall not commit any act of harassment against a worker.”

377. The Public Officers’ Ethics Act (2008) S 16 makes explicit reference to sexual harassment:

“A public officer shall not sexually harass a fellow public officer or a member of the public.”

Sexual harassment is not clearly defined in the Act or in the accompanying handbook for public officers entitled ‘Code of Conduct and Ethics, 2009.’

378. Redress for discrimination is provided for under article 46A “Prevention of discrimination” of the Employment Act 1995:

(a) *“Where an employer makes an employment decision against a worker on the grounds of the worker’s age, gender, race, colour, nationality, language, religion, disability, HIV status, sexual orientation or political, trade union or other association, the worker may make a complaint to the Chief Executive stating all the relevant particulars.*

(b) *The Chief Executive shall hold an inquiry into the complaint, make a determination and communicate the determination to the worker and the employer, and where an act of discrimination is held to have been established, the determination shall include such directions to the employer as are necessary to redress the grievance complained of.*

(c) *An employer to whom a direction is issued under subsection (2) shall comply with the direction.”*

Paid leave

379. Paid Leave is enshrined in article 35(d) of the Constitution: *Right to work* (above) and the Employment Act, Employment (Conditions of Employment) Regulations:

“A worker, other than a casual or part-time worker, is entitled to 21 days’ paid leave or, where the employment is less than a year, to 1.75 days for each month of employment, the aggregate number of days being rounded up upon addition to the highest integer.”

⁵¹ Art 4 Occupational Safety and Health Decree, 1978

⁵² Art 8 Occupational Safety and Health Decree, 1978

⁵³ As amended Act 4 of 2006

Maternity leave

380. The reproduction functions of women are protected under article. 30 of the Constitution (cited under article 1) and maternity leave benefits have continued to increase in line with the country's socio economic progress.

381. All women in the public and private sector irrespective of marital status are entitled to maternity leave of 18 weeks as per Reg. 16(1) Employment (Conditions of Employment) Regulations, Maternity leave:

"A female worker under a contract of continuous employment, or subject to sub regulation (3)⁵⁴, under a contract for a fixed term or a part-time employment is entitled to 14 weeks paid maternity leave of which not less than 12 weeks shall be taken after the date of confinement, and to 4 weeks unpaid maternity leave to be taken either before or after paid maternity leave."

382. The special needs of working parents in the public service are also recognized. Special consideration and maternity protection is provided for in Public Services/Parastatal Order 32: Employment of women:

"...maternity protection shall be granted as provided in these Orders, in addition to:-

(a) consideration being given to the special needs of a parent with children below crèche going age;

(b) flexible working hours and home based work if requested by a parent covered by (a) may be considered unless the job demands specific working hours or physical presence at the workplace;

(c) wherever possible and upon request, a parent falling in category (a) should be transferred to a post which lends itself more easily to (b) above."

383. Parents may be granted sick leave to attend to their children. Public Services/Parastatal Order 150: Sick leave:

(a) "Where a medical certificate of unfitness for work is produced, the absence of an employee from duty for the period covered by the certificate is regarded as sick leave. Sick leave shall be granted:-

(ii) If the employee's child aged under 12 years is sick and a medical practitioner or official authorised by the Ministry of Health recommends that the employee attends to the child;"

384. Protection for expecting mothers is provided under Reg. 16(2) of the Employment (Conditions of Employment) Regulations, 1991⁵⁵: Maternity leave:

"Where, whether before or after the period of paid maternity leave under sub regulation (1), a female worker is medically certified as unfit for work on grounds of illness, or of disability arising out of pregnancy or confinement, she is entitled to sick leave under regulation 12."

385. Protection for expecting mothers is replicated in Public Services/Parastatal Order 147: Maternity leave:

⁵⁴ Reg. 16 (3) : Where a female worker is under a contract for a fixed term her eligibility to maternity leave under this regulation ends upon the date of expiry of the contract

⁵⁵ Employment Act

(1) “A female worker, from the time she is 6 months’ pregnant and up to 3 months after her confinement, shall not be employed on overtime work or at night between the hours of 10 p.m. to 5 a.m.

(2) Where, at any time during pregnancy and up to 3 months after her confinement, a female worker produces a medical certificate that a change in the nature of her work or duties is necessary in the interest of her health or that of her child, she has the right to be transferred to other work to duties appropriate to her condition without loss of wages.

(3) Where a transfer is not possible pursuant to sub-regulation (2) the female worker is entitled to sick leave under reg. 12.”

386. Pregnant women are assured work security and may not be terminated according to S 57(3) of the Employment Act: Termination of Employment:

“Notwithstanding subsection (2)⁵⁶, notice for termination shall not be given to a worker whilst that worker is on sick leave or pregnant or on maternity leave unless the competent officer so authorises.”

Termination of employment under S 57(3) carries a penalty of SCR 40,000.

387. The Employment Tribunal hears and determines any employment and labour related matters and may award any remedies provided under the Act, award compensation or costs or make any other order as it thinks fits.⁵⁷

Labour participation rates and trends

388. Patterns and rates of female employment have changed in the last few years. More women are entering the labour market and accessing formally male dominated occupations. This is visible to the eye. However available national labour statistics date back to the 2002 Census report which shows a rising female participation rate but very little evolution in patterns of employment when compared to the 1994 Census. Women in the 2002 census report are still reported as having lower status jobs and clustered in unskilled jobs. The 2010 Census report will provide a more realistic and updated assessment of the situation.

389. Table 15 shows that overall labour participation rates increased from 62.1 per cent in 1994 to 72.3 per cent in 2002 (Census 2002.) While rates for men increased by 9 per cent from 68.1 per cent in 1994 to 77.2 per cent in 2002, female rates increased by 11 per cent from 56.1 per cent to 67.4 per cent in 2002.

⁵⁶ Unsatisfactory performance of worker on probation; of trainee; termination due to variation of terms of employment; termination of contract upon change of ownership; where worker is a casual, part-time or domestic worker.

⁵⁷ S 73A Employment Act, 1995/ Schedule 6

Table 15: Labour participation rates in 1994 and 2002, by sex

	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	1994	2002	1994	2002	1994	2002
Age group						
15 < 20	32.3	40.5	30.4	32.0	31.4	36.3
20 < 25	88.9	89.8	82.6	84.5	85.8	87.2
25 < 30	93.7	93.5	87.1	88.8	90.3	91.2
30 < 35	93.8	94.6	85.4	89.7	89.6	92.2
35 < 40	94.0	93.4	82.6	89.9	88.7	91.7
40 < 45	92.2	92.6	78.8	87.4	86.2	90.1
45 < 50	90.7	91.0	73.6	84.1	82.8	87.8
50 < 55	86.1	86.3	64.6	78.2	75.2	82.6
55 < 60	76.0	79.7	52.4	66.2	63.4	73.0
60 < 65	52.6	51.5	30.3	40.3	40.7	45.3
65 +	6.1	9.4	3.3	3.0	4.9	5.5
Total	68.1	77.2	56.1	67.4	62.1	72.3

Source: NSB, National Population and Housing Census 2002

390. Table 16 shows the pattern of employment for males and females according to the 2002 Census Report. Women make up 62.9 per cent of workers in government and 40 per cent of workers in the parastatals. More men than women are employers (70 per cent) and men also make up 83 per cent of the self employed group. Women are the majority of the unemployed job seekers (51.1 per cent) and unpaid family workers.

Table 16: Pattern of employment, by sex

	<i>Male</i>	<i>Female</i>	<i>Total</i>
Government	4591	7801	12392
Parastatal	3396	2273	5669
Private	8775	6878	15653
Employer	310	131	441
Self-Employed	4050	793	4843
Unpaid family worker	135	460	595
Part-time job seeker	584	558	1142
Unemployed job seeker	1544	1615	3159
Total	23385	20509	43894

Source: NSB, National Population and Housing Census 2002

391. The Household Budget Surveys conducted periodically by NSB also contain some labour statistics for surveyed groups of the population and provide a more recent picture of trends. Table 17 presents the distribution by sex for each occupational group and compares figures for the 1999/2000 and 2006/2007 Household Budget Surveys. Women dominate the service, market and sales related occupations and the clerical and professional category of occupations and this pattern has not changed significantly over the period of the two surveys. Men on the other hand account for higher proportions in the agriculture and craft, and plant and machinery related jobs. There have been slight increases in the percentage of women in the top three categories.

Table 17: Surveyed working population (aged 15+), by occupation and sex

<i>Occupation</i>	<i>1999/2000 (%)</i>			<i>2006/2007 (%)</i>		
	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Legislators, senior officials and managers	3.3	4.3	3.8	4	4.6	4.3
Professionals	9.3	5	7.2	12.7	7.9	10.3
Technicians and associate Professionals	11.2	10.1	10.7	12.6	11.1	11.8
Clerks	13.2	2.2	8	13.9	2.8	8.3
Service workers, market and sales workers	27.6	13	20.7	27.8	16.2	22
Skilled agricultural and fishery workers	2.5	8.2	5.2	3.1	7	5
Craft and related trades workers	4.4	19.7	11.6	3.3	16.7	10
Plant and machine operators and assemblers	1.2	11.2	5.9	1.8	11.9	6.9
Elementary occupation	19.6	16.9	18.3	18.7	19.7	19.2
Disciplinary forces	0.3	1.7	1	0.3	0.9	0.6
Not stated	7.4	7.8	7.5	1.8	1.2	1.5
Total	100	100	100	100	100	100

Source: NSB, Household Budget Survey 2006/2007

392. Job stereotyping is still evident in the next two tables which shows the percentage of men and women in various occupations. The largest gaps are in the education health and social services where women represent 82.1 per cent of workers in the category and men only 17.9 per cent. Women also make up 60.7 per cent of workers in the hotel and tourism industry as compared to 39.3 per cent men. Men are very prominent in agriculture and fishing (75.2 per cent) as compared to (24.8 per cent) women and in construction where they represent over 90 per cent of the workforce.

Table 18: Surveyed working population, by industry and sex (%within sex)

<i>Industry</i>	<i>Female %</i>	<i>Male %</i>	<i>Total %</i>
Agriculture and fishing	2.7	8.2	5.5
Quarrying	0.2	0.5	0.3
Manufacturing	6.6	8.5	7.6
Water and electricity	1	5.1	3.1
Construction	0.4	3.5	2
Wholesale and retail trade	7	5.9	6.5
Hotels and restaurants	12	7.7	9.8

<i>Industry</i>	<i>Female %</i>	<i>Male %</i>	<i>Total %</i>
Transport, storage and communication	5.2	11.9	8.6
Financing, insurance and business services	5.7	4.2	4.9
Community services	24.4	20.2	22.3
Education, health and social services	23.6	5.1	14.3
Other services	11	19.2	15.1
Not stated	0.2	0	0.1
Total	100	100	100

Source: NSB, Household Budget Survey 2006/2007

Table 19: Survey working population, by industry and sex (%within industry)

<i>Industry</i>	<i>Female %</i>	<i>Male %</i>	<i>Total %</i>
Agriculture and fishing	24.8	75.2	100
Quarrying	28.6	71.4	100
Manufacturing	43.2	56.8	100
Water and electricity	16.7	83.3	100
Construction	9.5	90.5	100
Wholesale and retail trade	54	46	100
Hotels and restaurants	60.7	39.3	100
Transport, storage and communication	30.4	69.6	100
Financing, insurance and business services	57.5	42.5	100
Community services	54.4	45.6	100
Education, health and social services	82.1	17.9	100
Other services	36.1	63.9	100
Not stated	100	0	100
Total	49.8	50.3	100

Source: NSB, Household Budget Survey 2006/2007

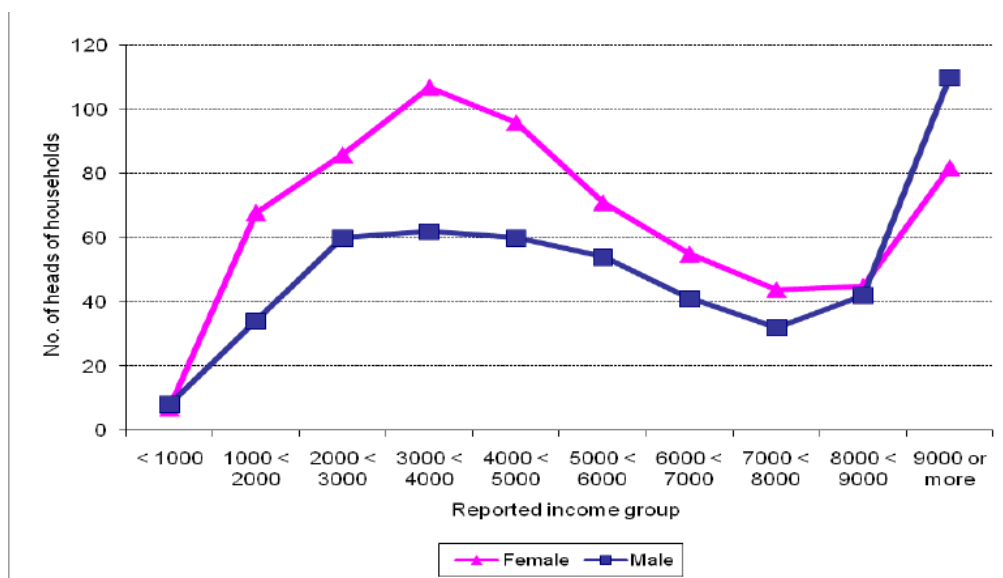
Women and poverty

393. There are no recent studies on poverty in Seychelles. A World Bank poverty assessment study conducted in 1994 estimated that approximately 6 per cent of the population was living in absolute poverty. The 2004 MDG report states that although there is no absolute poverty in Seychelles ‘pockets’ of poverty do exist and identifies single teenage mothers with few marketable skills as constituting one of the ‘pockets’ of poverty.

394. The 2006/2007 Household Budget Survey estimates that 18 per cent of the population are living below a Food Poverty Line (FPL) set at 39 Seychelles Rupees which is the most basic requirement for survival and 30 per cent below the Basic Needs Poverty Line (BNPL) set at SCR 50 per day. Families most severely affected are those living in larger households of five persons or more. Unfortunately this data is not sex-disaggregated.

395. Higher rates of women jobseekers and the fact that women feature predominantly among the beneficiaries of various Social Security Schemes, the means tested financial assistance and the Unemployment Relief Scheme (URS) appear to confirm the link between certain categories of women and poverty. Not all women headed households however live in poverty as is illustrated in the graph below. Female headed households are extremely diverse in Seychelles and not disadvantaged in the same way. Some female headed households are seen to cope well economically and able to exert greater control over income whereas some women living in households headed by men may be poor because of intra-household dynamics and limited control over employment income. Male headed households dominate the high income bracket.

Figure 5: Reported income group of households, by sex of head of household



Source: NSB, Household Budget Survey 2006/2007

396. More specialised studies are needed to clearly identify vulnerable groups and establish a vulnerability index. This will help to formulate targeted strategies for poverty alleviation where they exist. The United Nations Seychelles Country Assessment 2004-2006 identifies the lack of common understanding and definition of poverty and the absence of an official poverty line or established standards and measures for poverty as one of the major drawbacks for effective alleviation of poverty.

397. Government has over the years introduced a number of poverty alleviation schemes (income generating, welfare and training) such as the Full Employment Scheme (FES) and the Work Experience Programme (WEP) with varying degrees of success. The aim of the two schemes was to provide temporary employment on a part time basis to the needy on a minimum salary and to target young people and school drop outs. The Youth Employment Scheme (YES) was phased out in 1995 and replaced by the Unemployment Relief Scheme (URS). From 2005 to 2009, 635 out of the 839 participants on the URS were women. Other programmes such as the Youth Training Schemes (YTS), Project Apprenticeship Schemes (PAS) and Skill Acquisition Programme (SAP) have brought temporary relief and helped to bring unemployment rates down from 4 per cent in 1998 to 1.9 per cent in 2007. Figures obtained from the Ministry of Employment show that these programmes are largely subscribed to by women. For example, the SAP introduced in 2005 has recorded a total enrolment of 149 males and 577 females from 2005 to 2009. The YTS from 1995 to 1999 attracted 2634 females and 1117 males. More men enrolled on the PASs.

Crèche /day care facilities

398. Traditionally children were cared for at home by parents, relatives or neighbours. With increasing numbers of women between the ages of 18 to 45 in full time employment in 2009, and the gradual dissolution of the traditional extended family structure providing shared child minding services, the provision of good day care facilities for children is a Government priority.

399. There are three types of facilities for children under the compulsory school going age. Crèches offer two years of formal early childhood education free of charge in 32 crèches which are attached/adjacent to district primary schools. Crèches were originally established to cater for children aged between four to six years old, below the compulsory school cycle. Over the years, the Ministry of Education has gradually lowered the age of entry from 4 years to the current 3 years and 3 months to meet the increasing demand from working mothers and to provide children with a solid foundation for primary schooling. Although crèche education is not compulsory, 98 per cent of children in this age group attend crèche. Classes are run by trained teachers, 100 per cent of whom are females. The teacher pupil ratio in 2009 was 15:1. The three Private schools also have sections catering for children aged 3 and above.

400. To cater for the needs of children below the age of crèche, government has encouraged the setting up of private day care centres by facilitating soft loans and leasing out facilities in the districts. In 2009, there were 20 registered and licensed day care centres catering for a total of 703 children (Schools Division Records).

401. The Education Act 2004 makes provision for inspection and monitoring of staffing, records, safety, programmes, and staff student ratios by the Ministry of Education. These are set out in the document 'Guidelines Registration and Operation of Day Care Centres' (1994). In 2005, and 2008, The Ministry of Education conducted two certificate courses in Day Care management child care and education for 15 Day Care Operators and 19 Assistants. Government also subsidises day care for some of the neediest parents based on means testing.

402. Not all districts have Day Care Centres and costs in some private centres can still be prohibitive. In a further move to create affordable child minding services government has through the Concessionary Credit Agency (CCA) provided soft loans to women who want to set up child minding services in their own homes.

403. After school child minding services have been introduced in primary schools since 1996. The aim of the service is to provide a safe environment for children immediately after school hours. Supervision is provided by teachers and parents who also help children with their homework until the parents can collect them after work. This service funded by the Children's Fund is offered to all parents free of charge. Over 800 children currently make use of this service.

404. A large majority of women work in the hotel industry, tuna factory and health services where shift work is the norm. Juggling child care and working schedules are extremely stressful especially in the cultural context where responsibility for children falls disproportionately on women. Providing affordable child care facilities will continue to be a challenge.

Factors and obstacles

405. It is not possible to fully capture the gendered dimension of work because of the lack of sex disaggregated data available in a timely and updated manner. Responsibilities for the home, children, and care for the elderly and sick place an unduly heavy burden on Seychellois women restricting in some circumstances their capacity to pursue professional interests.

406. Unpaid care work is not accounted for in the national budget and no time use surveys have been conducted to measure the contribution of unpaid care work to the national economy and time spent by women in unpaid jobs and the informal sector.

407. Employment statistics for government and parastatal sectors for 2009 show that the women continue to form the majority of the work force in the government sector (60 per cent) and account for 40 per cent in the parastatal sector. Average earnings in the government sector for 2009 amount to SCR 5358 (US\$ 450) and for the parastatal sector SCR 7238 (US\$ 608). No reliable gender disaggregated employment statistics are available for the private sector.

408. Female migrant workers account for 1.7 per cent of female workers employed in government and 0.4 per cent of female workers in parastatals (NSB 2009). The majority of migrant female workers employed by government work in education and health sectors. There are no disaggregated data for migrant workers in the private sector. Male workers form the bulk of the migrant workers working in the construction and hotel industries. However increasing numbers of female workers are also being recruited to work in the tourism industry and the Indian Ocean Tuna Factory. Although no major issues related to migrant workers have been raised in the review period, female migrant workers constitute a vulnerable group whose human rights and health and reproductive needs will have to be addressed and closely monitored.

409. General recommendation No. 19 draws attention to new forms of sexual exploitation including the recruitment of domestic labour from developing countries to work in developed countries and that State Parties should take measures against such practices. It must be noted that section 24 Employment Act which required a Seychellois leaving Seychelles for employment abroad as a domestic worker to seek a certificate from the competent officer, has been repealed⁵⁸. This is contrary to general recommendation No. 19.

Article 12- Access to health care

Constitutional and legal provisions

410. The right to health for every citizen is guaranteed under the Constitution of Seychelles, article 29(1) (box 8).

411. Key provisions include free primary health care, prevention and control of diseases and reduction of infant mortality. The Constitution also recognizes the need for individuals to take responsibility for their own health.

412. The maternal rights of women are given special recognition and protection under article 30 of the Constitution (described earlier in the report under article 1.). Employment laws (detailed under article 11) provide for security of employment during and after pregnancy, regulate the type of work that pregnant women can engage in, guarantee the length and distribution of maternity leave and clarify provisions for sick leave and child care during pregnancy.

⁵⁸ Act 4 of 2006

Box 8: Right to health

The State recognizes the right of every citizen to protection of health and to the enjoyment of the attainable standard of physical and mental health and with a view to ensuring the effective exercise of this right the State undertakes:

- (a) To take steps to provide for free primary health care in state institutions for all its citizens;
- (b) To take appropriate measures to prevent, treat and control epidemic, endemic and other diseases;
- (c) To take steps to reduce infant mortality and promote the healthy development of the child;
- (d) To promote individual responsibility in health matters;
- (e) To allow, subject to such supervision and conditions as are necessary in a democratic society, for the establishment of private medical services.

Constitution of the Republic of Seychelles,

Article 29 (1)

Health policies

413. Seychelles signed the World Health Declaration of Alma-Ata in 1978 and committed itself to achieving health for all through an extensive primary health care strategy. The National Health Policy (2005) is based on the principles of 'Health for all and Health by all.' Government's goal is to ensure that health services are available to all Seychellois and that access is based on need and not ability to pay. Decentralisation of primary health care services into the community has been the key strategy for achieving this aim.

414. Good health is considered as an essential prerequisite for the enjoyment of a high quality of life, and for the sustained economic and social development of the country. Health policies encourage an integrated approach to the development of health and highlight the interplay between health and other sectors such as education, housing and the environment.

415. As from 1977 onwards, government abolished health fees and invested massively in health infrastructure, decentralization of services in district health centres and training of personnel. By 1994, free access to good primary health care had been largely achieved and the country witnessed a dramatic change in its health status compared to pre-independence days (See health indicators below).

Table 20: Vital and health statistics

	1994		1997		2005		2009	
<i>Vital and Health Personnel Statistics</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
Mid Year Population	36983	36867	38545	38774	41233	41619	45022	42276
No. of Registered Births	869.0	831.0	751.0	724.0	785.0	751.0	825.0	755.0
Crude Birth Rate (per 1,000 pop)	23.5	22.5	19.5	18.7	19.0	18.0	18.3	17.9
Crude Death Rate (per 1,000 pop)	8.9	6.3	9.5	6.1	9.4	6.9	8.8	6.8
Infant Mortality Rate (per 1,000 live births)	9.2	8.4	9.3	6.9	12.7	8.0	7.3	14.6
Neonatal Mortality Rate (per 1,000 live births)	-	-	8.0	4.1	11.5	6.7	3.6	10.6

Source: Health Information and Statistics Unit, Ministry of Health and Social Development

Table 21: Number of health professionals, by year

	1994	1997	2005	2009
Number of doctors	110	115	113	101
Population per doctor	820	720	733	842
Number of nurses	379	422	390	411
Population per nurse	221	196	212	207
Number of Dentists	27	23	17	21
Population per dentist	3101	3599	4874	4049

Source: Health Information and Statistics Unit, Ministry of Health and Social Development

416. Over the years, health policies have been reviewed to meet rising public expectations and the increase in new non-communicable diseases brought about by modern and risky lifestyles. The Ministry of Health's National Strategic Plan (2006-2016) puts emphasis on health promotion and protection since most of the health problems are related to changing life styles while at the same time sustaining development of primary health care, development of human resources, and quality-assurance. Increasing cases of cancer, chronic and degenerative illnesses make it necessary to strengthen the role of secondary and tertiary care for provision of specialized services in support of primary care.

Reproductive health policies

417. Government's commitment to universal access to reproductive health is clearly stated in the National Population Policy for Sustainable Development (2007), the Reproductive Health Commodity Security Strategic Plan (2007-2009) and the draft National Policy on Sexual and Reproductive Health (2009). Seychelles has also committed itself to maintaining the Millennium Development goals for improvement of maternal health, reduction of child mortality and control of HIV/AIDS for which it is on track. The draft policy is guided by a number of principles which highlight respect for human rights, choice in family planning matters and equity. The main goal of the sexual and reproductive health programme is to ensure that all Seychellois have the best possible chance of enjoying safe and satisfying sexual relationship/s, can determine whether and how often they have children, and give their children the best possible start in life. All programmes are encouraged to consider gender differences and encourage positive attitudes regarding sexuality and gender roles for greater gender equity and equality.

418. The following principles underpin the draft National Policy on Sexual and Reproductive Health and are relevant to the Convention on the Elimination of All forms of Discrimination against Women.

Box 9: Principles of the Draft National Policy on Sexual and Reproductive Health**Respect for human rights**

The Government recognizes the right to the enjoyment of the highest attainable standards of physical and mental health for every citizen. All providers of health care will ensure that citizens can exercise freedom to make decisions in all matters relating to their sexuality, family planning and reproductive health.

Equity of service provision

The Government will strive to ensure services are provided in an equitable way, that is ensuring that services are provided to those that need them and will benefit from receiving them regardless of their individual characteristics.

Ensuring access to high quality services

The Government is committed to providing access to primary healthcare services that are free at the point of use, and will ensure that all programmes continuously strive to improve the quality of information, counselling and services they offer to clients.

Integration of services

The Government will strive to ensure that services impacting on reproductive health are offered in an integrated, joined up manner to ensure maximum effectiveness and optimal use of available resources.

419. Commitments to free choice on family planning issues and gender equality and equity are reaffirmed in the ICPD Programme of Action and the National Population Policy for Sustainable Development which place the human person at the centre of concerns for sustainable development and call for universal access to reproductive health by 2015.

Organization of health services

420. The Ministry of Health (MoH) is the principal provider of health services in Seychelles and has the overall responsibility for planning, directing and developing the health system for the entire population of Seychelles estimated at 87,000 people in 2008. Over the last two decades, the ministry has been frequently restructured sometimes operating as a single ministry or merged with other Ministries such as Employment and Social Affairs. From 2005 to the reporting date, it was merged with the Social Development Department to form the Ministry of Health and Social Development.

421. In January 2008, following a major reform of the health system, the Health Department was divided into two sectors 1) A Health Services Agency (HSA) and 2) a Public Health Department (PHD). The HSA was created as an autonomous agency to oversee the overall operation of services delivery under the leadership of a Chief Executive Officer, while the Health Department would ensure a more strategic and long term planning role, headed by the Public Health Commissioner (PHC).

422. The Health Department ensures that the people's right to free health care which is enshrined in the Constitution of the Republic is appropriately met at a cost that the country can afford.

Structure of the health system

423. Seychelles has a comprehensive health structure which comprises of one central referral hospital in Victoria the capital, and four other small hospitals: one at Anse Royale on Mahe and the three others on the islands of Praslin, La Digue and Silhouette

respectively. There is also one rehabilitative hospital, one mental hospital, one Youth Health Centre and 17 health centres located in six health regions throughout the country.

424. Each health centre is staffed by a district health team headed by a senior member of the health team. The health region is overseen by a Nurse Manager. The main function of the Nurse Manager is to coordinate and ensure the smooth running of the district health programmes. Primary health care services include primary medical services, family planning, childhood immunisation and developmental assessment, antenatal and post natal care, school health, public health and health promotion. All health districts are headed by female staff. The entire population has access to basic health care, and yearly immunization coverage against the most common childhood diseases is almost 100 per cent.

425. Secondary care consists principally of hospital care. Victoria Hospital is the main referral hospital, which offers certain forms of tertiary care. The bulk of highly specialized treatment (e.g. radiotherapy, angiography, and heart surgery) takes place overseas and cost the country US\$1.6 million in 2006. No sex disaggregated statistics available.

Health personnel

426. The Ministry of Health is headed by a female minister in 2009 and the Chief Executive Officer for the Health Services Agency is also female. In 2008, the Public Health Department and Health Services Agency had a total labour force of 1,752 employees.

427. Health care is a feminized profession in Seychelles and around 75 per cent of the personnel are women. The larger majority (over 98 per cent) of nurses, midwives and health auxiliaries are women. This is not the case at higher echelons of the medical profession. In 2007, there were a total of 15 Seychellois female physicians (7 generalists and 8 specialists) compared to 32 male physicians (13 generalists and 19 specialists). There was one Seychellois female dentist and five male dentists.

428. It must also be noted that expatriates make up 61.8 per cent of the total number of physicians and dentists practising in government establishments. Seychelles like many other developing countries suffers from brain drain with many health workers leaving the country for job opportunities abroad.

Health budget

429. Equity is a fundamental principle behind the financing and organization of health care system in Seychelles. Since 1977, health has been one of the priority areas in the country's budgetary allocation. In 2007, the Health Department received the second highest allotment of 12 per cent of the national budget. In 2008, The Ministry of Health and Social Development was allocated SCR 219,963,000 (14.54 per cent of the National Budget) out of which SCR 196,487,000 (89.33 per cent) went to the Health Department and Health Services Authority. This is the largest amount allocated in the budget.

Table 22: Total expenditure on health as (SCR) as % of GDP

1995	1998	2001	2004	2007	2008
5.6	5.7	5.3	6.1	5.1	4.1

Source: Epidemiology and Statistics Section, Ministry of Health and Social Development

Overview of women's health status

430. Women have full access to the whole range of health facilities provided by the state and no cultural barriers hinder enjoyment of health rights. Spousal consent is not needed for reproductive health services or sterilization.

431. In Seychelles, health indicators show that women are the major beneficiaries of health programmes and more receptive to education, prevention and advisory services. Health districts record more female attendance.

432. Female adolescents also make up the majority of clients at the Youth Health Centre in 2009 (4527 females to 1201 males.) The closer monitoring of women's health through maternal and child care programmes delivered at community level has undoubtedly resulted in early detection of illnesses and helped women to build closer relationships with and develop confidence in health personnel.

433. Free antenatal and postnatal maternal care have considerably reduced maternal deaths which are now a rare occurrence. According to MoH statistics, HIV and AIDS prevalence is more acute for men. The Gender Links Barometer Report 2009, states that Seychelles is one of 2 countries in the SADC region which have more men infected with HIV/AIDS infected population. This corresponds to recorded HIV infection trends in other countries, which observed higher incidences of HIV infection amongst MSM during early phases of the spread of the virus.

434. In general, more men than women die of diseases of the circulatory system. Reproductive health programmes available in health centres have targeted and empowered women making them active health seekers with greater choice in the exercise of their reproductive health. Men are seen to be lagging behind to access sexual and reproductive health services.

435. There were fewer female admissions (888 as compared to 1358) to the hospital for medical and psychiatric services in 2007 although women stayed longer (4.13 days) as compared to 3.87 days for men.

436. Health concerns for women are due to cardiovascular diseases and obesity due to changing life styles, cancers of the breast and cervix, unwanted pregnancies among teenagers and increasing prevalence of HIV and AIDS in the younger age brackets. There have been a rising number of women with alcohol and drug related problems that require close monitoring. The numbers of cases of attempted suicide are recorded higher among women as compared to men (total of 193 women compared to 80 men in 2006).

437. The tourism industry and in-migration of foreign workers are seen as factors that can contribute to increase in the spread of infectious diseases. The chikungunya epidemic was quite serious in the year 2006 and affected some 20 per cent of the working population. Based on the data collected from the MoH statistics unit, the epidemic affected a total of 10,256 people. Out of this total, 5948 females (58 per cent) were affected as compared to only 42 per cent males.

438. There are no cultural practices which present serious health hazards to women in Seychelles. The rising surge in domestic violence (described under article 16) which can put women's health at risk is however a strong indication of unequal power relationships in the home related to notions of male supremacy.

439. Although women's health has improved overall, there are critical sections of the women's population that continue to be at risk because of low incomes, large dependent families, and risky sexual behaviours. They have been identified as single women who head households, teenage mothers, drug and alcohol users, HIV/AIDS patients, commercial sex workers and victims of domestic violence and sexual abuse. Many of these factors are interrelated and women in these groups face multiple disadvantages.

440. The Ministry of Health is fully cognizant of the need to identify strategies to target these vulnerable groups without bias as well as take appropriate measures to provide better services in all areas of health care for men. More gender sensitive studies must be undertaken to fully grasp the underlying issues. These are currently missing.

Life expectancy

441. In Seychelles, women live longer than men. Data from the Ministry of Health and Social Development show that on average a female baby born from 2003 to 2007 lived nine years longer than males in Seychelles. In 2008, the difference had increased to 11 years. The life expectancy at birth for both sexes in 2008 has increased by 0.73 years when compared to the average for 2003-2007.

442. The lower life expectancy for men is attributed to biological characteristics as well as lifestyle choices; such as risky behaviours such as smoking, alcohol consumption and general neglect of health. There has been no scientific research done to explain this gap. Because women live longer than men, they are more affected by ageing issues. A larger percentage of women are also more at risk of dependency, isolation and poverty. This has numerous implications for the Ministry of Health. Healthy life expectancy figures would provide a more accurate picture of the quality of life enjoyed by older women. The National Population Plan of Action, the National Plan of Action for Social Development and the WHO Country Programme have identified research is needed into the gendered dimensions of ageing a priority for 2010-2011.

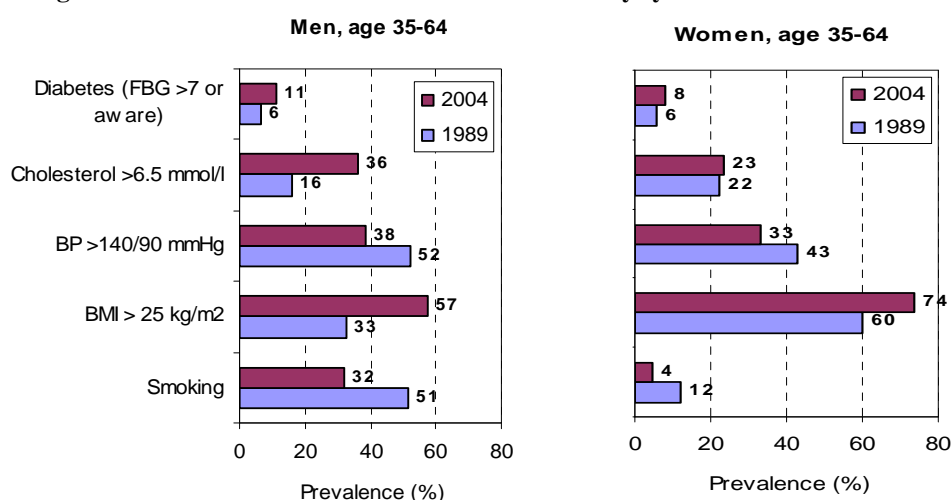
Main causes of death

443. The main causes of deaths in Seychelles are diseases of the circulatory system which account for around 37 per cent of deaths and neoplasms (cancers) which account for around 16-18 per cent of deaths. The burden of disease in Seychelles has gradually shifted from infectious and parasitic diseases, a major cause of concern in the 60s and 70s, to non-communicable diseases (NCDs), injuries and mental health. NCDs are currently the main cause of disease mortality showing an upward trend since the last ten years. This change is attributed to changing lifestyle, consumption patterns and improved standards of living (Shamlaye 2004).

444. Sex disaggregated figures from the Ministry of Health and Social Development for death causes in 2008 show that the leading cause of death for women was also diseases of the circulatory system. A total of 117 women died from diseases of the circulatory system in 2008 as compared to 96 men. More men than women die of all the other diseases.

445. National surveys on the prevalence of main risk factors associated with the circulatory systems carried out in 1989 and 2004 by the Ministry of Health show that 16 per cent of males and 22 per cent of females had cholesterol levels greater than 605mmol/l in 1989. In 2004, this had increased to 36 per cent for males and 23 per cent for females. In 1989, Body Mass Index greater than 25kg/m² was 33 per cent among males in the age bracket 35 to 64 years and 60 per cent for females in the same age group. In 2004, this had increased to 57 per cent for males and 74 per cent for females. Female obesity is a clear cause for concern.

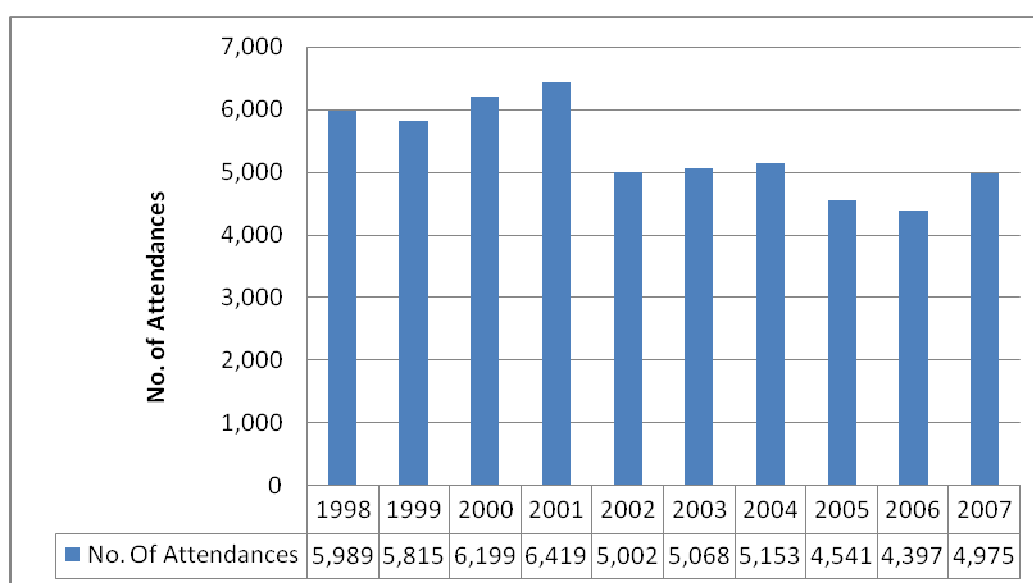
Figure 6: Risk factors associated with the circulatory system



446. Cancers of all types are the second leading cause of death in Seychelles. Cancer of the lungs, oral cavity and pharynx are leading causes of death among men while breast cancer, cancer of the cervix, uterus and ovary are prominent among women. A total of 1,425 new cases of cancers were reported in Seychelles from 1995 to 2007. For the same referral period, cancer of the breast was leading with 174 cases (12.2 per cent), followed by cancer of the cervix with 157 cases (11.0 per cent) and cancer of the colo-rectal with 155 cases (10.9 per cent). Out of the 116 new cases in 2007, 27 (23.3 per cent) were due to cancer of the breast.

447. Cancer screening pap smears to identify cervical cancer are currently available through family planning clinics, private clinics, the Youth Health Centre and the Communicable Disease Control Unit (CDCU), Antenatal Clinic, female surgical ward, and gynaecology outpatient clinics.

Figure 7: Pap-smear attendance from 1998-2007



Source: Ministry of Health and Social Development

448. Figure 6 above shows the number of women who availed of this service from 1998 to 2007. The number of women having a pap smear annually appears to be falling although it picked up slightly in 2007.

449. Local mammography to detect breast cancer is available for women with symptoms or a family history, but there is no comprehensive breast screening programme currently. Breast cancer detection relies on promotion of breast self examination by family planning services, and case finding by healthcare staff. Referred cases are seen at a dedicated breast clinic at Victoria hospital, with access to mammography and other diagnostics.

450. Diagnostic services available locally include ultrasound, radiology (CT/MRI), laboratory (history/cytopathology), surgery, and chemotherapy. Patients may be assessed for overseas treatment and specialized care, such as radiology.

451. In order to address the declining uptake of cervical cancer smear tests, and increase awareness on early detection, the ministry has proposed several strategies under the draft National Policy on Sexual and Reproductive Health. These include further investigations to identify the main cause of the problem, increased coverage of the programme, strengthening awareness of self-examination, development of clinical guidelines to support health service providers in the early detection of breast, cervical, prostate and testicular cancer, introduction of Human Papilloma Virus (HPV) vaccination into the national

immunisation programme and development of appropriate resources on reproductive cancers for men and women to raise awareness of the importance of early presentation and diagnosis of cancer.

452. The Ministry of Health and Social Development has plans to develop a National Cancer Control Plan and supporting programmes, including systems to collect relevant data and review service quality or effectiveness. This will include a review of how resources can be most cost-effectively deployed to prevent cancers and cancer deaths, addressing the unmet training and development needs of healthcare professionals, updating or developing clinical guidelines for screening and referrals, developing failsafe mechanisms to improve patient follow-up, development of cancer prevention and control plans for cervical, breast and prostate cancers, development of quality assurance systems for early detection and management of reproductive cancers and ensuring constant availability of materials used for cervical screening.

Maternal health

453. Maternity services are well established in Seychelles and are one of the success stories of the health system. Ante-natal, delivery and post natal care are available to all women free of charge. Antenatal care is decentralised with trained midwives providing antenatal care in most of the health centres in the country. Pregnant women are advised to attend antenatal care as early as possible into their pregnancy. Routine HB blood test, weighing and other investigations (early screenings to detect complications in pregnancy) are done at the antenatal care unit.

454. Nutrition advice is considered an important component of the preconception care. Nutrient supplementation consists of calcium, iron and folic acid. The increase in the prevalence of obesity and substance misuse in the population with associated obstetric complications has required the active identification and management. All high risk pregnancies are referred to the antenatal service at Victoria or Praslin Hospitals.

455. Ultrasonography is done three times during the gestation period. Throughout pregnancy women receive information about lifestyle factors affecting the outcome of the pregnancy.

456. All deliveries take place in a hospital setting, with trained health personnel attending 100 per cent of pregnancies and deliveries. In all complicated deliveries, emergency obstetric care is available on a twenty-four hour basis. There is a fully equipped neonatal intensive care unit. All pregnant women are offered voluntary counselling and testing for HIV. Practically 100 per cent of all HIV positive cases are provided with antiretroviral drugs and Prevention of Mother to Child Transmission (MTCT)

457. Post-partum family planning and counselling are available to all women. Although exclusive breastfeeding is normally advocated, less than 60 per cent actually practise it (breastfeeding study: 2008). Community midwives conduct postnatal home visits to practically all mothers before the six weeks after delivery. Post natal examination of the mother and baby are fixed for six weeks after delivery in their district health Centres. The babies are then followed up through their childhood until five years old. They are then taken care of under the School Health programme.

458. Improvements in prenatal and postnatal care since the late 1970s have brought the infant mortality rate down from more than fifty per 1,000 live births in 1978, to an estimated 11.7 in 1994, a rate comparable to that of Western Europe. In recent years, the country has presented very good maternal and infant health indicators; the infant mortality rate was 8.5/1000 in 1998, and the maternal mortality rate averaged 65.92/100,000 live births between 1994 and 1998. In 2005, the infant mortality rate was 9.8/1000 and the maternal mortality rate 65.1/100,000. In 2006 the neonatal mortality rate was 6.13 per 1000

live births, the infant mortality rate was 9.5 per 1000 live births; and the under 5 Mortality ratio was 10.9 per 1000 live births. The immunization coverage in the same years for BCG, DPT3, OPV3 and measles was 100 per cent.

Factors and difficulties

459. Maternity service providers face a number of emerging challenges. Many women book late for antenatal care thus reducing opportunities for early detection of complications and interventions. Teenage pregnancy rates remain significantly high, whilst an increasing number of women are pregnant in their later years. In cases of neonatal death, women are offered counselling only at the unit level; however no follow up system is available in their respective Health Centres. In most cases despite the policy, post-natal home visits are rarely done within the first five days of discharge. This is sometimes due to a shortage of midwives. The country does not have an official breastfeeding policy. There are no standardized guidelines and protocols for preconception and few opportunities for refresher training for midwives.

460. Some of the measures proposed under the new National Policy on Sexual and Reproductive Health include strengthening preconceptual advice and care and promoting early booking for antenatal care (the target being 95 per cent of women booked within the first ten weeks of pregnancy). Folic acid supplementation either as a single dose supplement or combined with iron will be provided and women supported in attaining a healthy weight before they become pregnant. MMR (Measles, Mumps and Rubella) vaccination will be offered to women not previously vaccinated and improvement in the current recording of data for surveillance purposes will be given high priority.

Family planning

461. Family planning programmes represent a cost effective means of preventing unwanted pregnancy, poverty, social exclusion, child abuse/neglect, delinquency and crime. In Seychelles accessible family planning services has made a major contribution to women's empowerment and child well-being. Decentralised family planning services were established in Seychelles in the early 1980s and are currently provided in each health centre (13 on Mahe including the Youth Health Centre, two on Praslin, one on La Digue and one on Silhouette). These services have had a significant impact on family size and the rate of unwanted pregnancy. The Total Fertility Rate has declined from 2.6 in 1994 to 2.2 in 2007 (Statistical Abstracts NSB).

462. Family planning clinics provide hormonal pills and injectables, the IUCD, condoms and other barrier methods free of charge to all women. Currently hormonal IUCDs and implants are not available. Clients requesting sterilisation are referred to the Gynaecology service at Victoria Hospital. Oral contraceptive pills are the most popular method of contraception (64 per cent), followed by injectable (20 per cent), IUCD (5 per cent), and condoms and sterilisation (Reproductive Health report: 2008). Family planning services are also available from private clinics, and condoms are sold through pharmacies and shops. Free condoms are made available through a range of other community settings, including health centres, bars and discotheques, workplaces, and youth centres.

463. Data on contraception prevalence is currently gathered from Ministry of Health services only, making it difficult to gauge the level of unmet need. MoH is the main supplier of contraceptives, however certain clinical supplies are provided through donor agencies mainly UNFPA. The reported contraceptive prevalence rate for modern methods has declined from 60 per cent in 1996 to 43.1 per cent in 2008 and the total number of attendances at family planning clinics has fallen from 38,867 in 2004 to 30,435 in 2008. This may reflect the availability of alternative private providers but poor recording of

statistics have been cited as contributing factors. Male involvement in family planning is low.

464. The draft National Policy on Sexual and Reproductive Health recognizes the rights of women to greater control over their reproductive health and responds to the needs of modern women. The reproductive health policy also makes provision for family planning services to be devised for women on the full range of family planning methods available in an unbiased manner.

465. The Reproductive Health Commodity Security Strategic Plan has also been in existence since the year 2006 to ensure that there is a structure to sustain contraceptives stocks for the full range of methods in order to minimize the risks of interrupted supplies.

466. In Seychelles, there are various groups that have special needs and do not fully benefit from some of the reproductive health services available. These special groups include commercial sex workers, Men that have Sex with Men (MSM), prisoners (on remand and inmates), migrant workers, sailors, and travellers who should be targeted for interventions. The size of these groups varies. Migrant workers in Seychelles constitute a sizeable population. Every year an estimated 6,000 people come to the Seychelles to work in various industries such as fisheries and construction. The Reproductive Health needs of these groups have to be identified and special interventions developed in partnership with NGOs and other bodies to reach these target groups and provide the services that are needed.

Adolescent reproductive health

467. The Youth Health Centre was set up in 1995 to provide young people especially those disadvantaged or at risk with information, medical care, and counselling on reproductive and sexual health issues in a friendly, attractive and non-threatening environment. The Centre adopts a holistic approach to adolescent health focusing on developing young people's capacity to deal more effectively with challenges they face in their lives. The adolescent population (15- 19) stood at 7,187 (3,841males and 3,346females) in 2009.

468. Since the establishment of the centre, reproductive health services have been most in demand. The Centre's annual report for 2009 states that half of the total of 5,728 visits made to the YHC in 2009 were for reproductive and sexual health and medical services including provision of hormonal contraceptives. This figure also represents an increase of 100 per cent over 2008. 229 visits were made for STI screening compared to 64 visits in 2008 and 561 voluntary HIV tests were carried out compared to 128 in 2008.

469. The centre attributes this change to its outreach programmes in the most youth densely populated regions. Six youth corners have also been set up in secondary schools for the dissemination of IEC materials and the distribution of condoms which are accompanied by counselling sessions.

470. In spite of these positive figures, a number of indicators confirm that Adolescent Reproductive Health in Seychelles is an issue requiring urgent attention. Results from the Child Well Being study (2008) indicated that 46 per cent children aged 12 to 19 have had sexual intercourse whereby 40 per cent were girls. The study also showed that 26 per cent of girls' aged 14 to 17 reported having sex with someone older than them. The majority of both girls and boys reported that they did not use protection.

471. Young people in Seychelles are at risk from a broad range of health problems. They are at particular risk from unwanted pregnancy and their complications STI's and HIV. The need for sexual and reproductive health services for young people has, over the past years, become particularly critical for a number of reasons. Societal changes have led to loosening family ties, leaving many young people unable to rely on intergeneration relationship for

information and guidance. With the gap between generations; young people are left to learn about sexual issues from their peers or from the media.

472. The percentage of teenage pregnancies (below the age of twenty) has fluctuated from 12 per cent to 16 per cent over the last 12 years. Many of the pregnancies amongst adolescents are unplanned and unwanted, resulting in rising unsafe abortion rates and premature deliveries, school drop outs and a multitude of social, medical and psychological problems which has an impact on the individual, the family and the economy of the country in general.

Table 23: Key indicators of teenage reproductive behaviour in Seychelles from 1996-2008

<i>Indicator</i>	<i>1996</i>	<i>2000</i>	<i>2006</i>	<i>2008</i>
% of women 15-49 who were teenagers	18	15	15.1	22.6
% of all births to teenage mothers	14.5	12.5	12.1	13.8
% of all first births to teenage mothers	33.0	27.6	28.5	27.8
% of all second births to teenage mothers	N/A	1.8	4.2	4-6
% of all abortions (spontaneous/induced) to teenagers	19.8	21.8	16.6	28.8
% of all known pregnancies to teenagers	15.5	14.8	16.6	15
Age Specific Fertility Rate, 15-19 years	0.063	0.055	0.054	0.063

Source: Ministry of Health and Social Development

Factors and difficulties

473. A number of barriers hinder young people's access to reproductive health services. This includes a) attitude of service providers towards provision of reproductive health services to minors, b) the law pertaining to minors and c) poor communication between parents and minors.

474. Girls aged 15-17 can legally consent to sex but require parental consent in circumstances whereby they will require HIV testing, treatment for STI's, hormonal contraceptives and other medical investigations. However adolescents can get access to free condom without parental consent. The main challenge is that very few girls under 18 yrs old would seek their parent's permission to start using contraception or seek medical assistance, as most often they do not want their parents to know that they are sexually active and do not openly talk about sex with their parents (Child Well Being study, 2008). In many cases even doctors are in doubt about their legal rights and responsibilities in relation to providing reproductive health services to patients less than 18 years. The above contribute towards poor management of reproductive health services for these high risk cases.

475. The Ministry of Health is currently addressing the challenge. This forms part of the draft National Policy on Sexual and Reproductive Health, which includes reviewed guidelines for the provision of contraception / reproductive health services based on the international 'Frazer guideline' to facilitate health workers to be able to address needs of

high risks adolescents who are unable to obtain parental consent should they indulge in unprotected sex.

Abortions

476. Abortion is presently defined as the termination of pregnancy before the foetus is capable of extra uterine life. The gestational age of viability is 26 completed weeks or birth weight of 800g. Access to termination of pregnancy operates under the Termination of Pregnancy Act (1994) which allows for termination up to the twelfth week of gestation on health grounds as determined by three medical practitioners on the Termination of Pregnancy Board. The procedure is performed at Victoria Hospital and all women would normally receive counselling prior to and after the procedure and follow-up is normally done at the family planning clinic. For persons less than 18 years, parental consent is required.

477. Despite the fact that sexual reproductive health services and programmes are readily available to those over 18 years and public awareness has increased significantly, trends show the persistent growth in the number of unsafe abortions. This is indicated by the rise in the number of incomplete, septic abortions and the decrease in the number of termination of pregnancies (TOP) abortions.

Table 24: Abortions reported in wards in Seychelles from 1995 to 2007

<i>Year</i>	<i>All abortions</i>	<i>All known pregnancies</i>	<i>All abortions as % of pregnancies</i>	<i>Termination of pregnancies</i>	<i>% Of abortions that were unsafe</i>
1995	297	1879	15.8%	81	72.7%
1996	378	1989	19.0%	80	78.8%
1997	372	1847	20.1%	79	78.8%
1998	411	1823	22.5%	105	74.5%
1999	536	1995	26.9%	133	75.2%
2000	495	2018	24.5%	124	74.9%
2001	455	1895	24.0%	114	74.9%
2002	460	1941	23.7%	88	80.9%
2003	440	1938	22.7%	61	86.1%
2004	435	1891	23.0%	49	88.7%
2005	413	1966	21.0%	53	87.2%
2006	443	1913	23.2%	59	86.7%
2007	446	1975	22.6%	63	85.9%
2008	453	2014	22.5%	63	86.1%
2009	471	2063	22.8%	57	87.9%

Source: Epidemiology and Statistics Section, Department of Public Health

478. The reproductive health policy has made provision to reduce the incidence of abortion, prevent unsafe abortions and increase information on the different options available for a woman with an unintended pregnancy so as to help her make an informed choice. Women considering an abortion will receive comprehensive, accurate and unbiased information about their options and the process. Practitioners who are ethically opposed to abortion will follow relevant professional guidance and refer to another practitioner without delay. Appropriate guidelines on abortion services will be developed for staff, and training provided to support implementation. Capacity building of health and health related

personnel is required on pre-abortion counselling, comprehensive post-abortion counselling and mental health support, prevention and management of complications of unsafe abortions.

HIV and AIDS and other sexually transmitted infections

479. Seychelles is signatory to several international declarations and agreements on HIV/AIDS. These include the Abuja Declaration, UNGASS, and UNAIDS. Seychelles also upholds the rights of women to sexual and reproductive health through commitments to the Beijing Platform for Action and ICPD.

480. HIV and AIDS epidemic in Seychelles is concentrated, yet it poses a big challenge threatening to reverse the socio-economic development and stability of the country because of the high HIV prevalence (2.5 per cent) among the age group 15 to 19, commonly taken as a proxy of incidence (UNGASS Report: 2008).

481. The first HIV infected person was diagnosed in 1987 and the first recognized full-blown case of Acquired Immune Deficiency Syndrome (AIDS) was reported in 1992. Since then numbers have continued to increase. Risk factors include injecting drug use, increasing practice of commercial sex and increase in number of Men who have Sex with Men. Currently there are no methods to estimate the prevalence and incidence of HIV/AIDS. Statistics on the epidemic are obtained from patient records kept at the Communicable Disease Control Unit (CDCU), maternity wards, blood bank, and Health Centres.

482. Table 25 below is a summary of the HIV/AIDS situation in the country for the period 1987 to 2010 compiled from data obtained from the Communicable Diseases Control Unit in the Health Department.

Table 25: HIV/AIDS and Hepatitis C situation from 1987 to September 2009, by sex

	<i>Male</i>	<i>Female</i>	<i>Total</i>
Cumulative HIV/AIDS Cases	240	172	412
Cumulative AIDS Cases	125	80	205*
Cumulative AIDS Deaths	46	35	81
HIV Positive pregnancies		72	72
Living with HIV/AIDS	143	116	259
Cumulative Cases on HART	84	63	147*
Left Seychelles	43	29	72
Hepatitis C cumulative cases	63	29	82*

Source: CCDU, Ministry of Health 2010 * Statistics on HIV/AIDS situation 1987 to 2010

483. There are more males (58.3 per cent) infected and living with HIV/AIDS than women. During the period of January to September 2008, 12 men and 12 women were diagnosed with HIV and AIDS. This however shot up to 26 males in 2009, whilst the female incidence remained stable at 11 cases. Except for the age group 0-19, males were the most infected.

484. Anti-Retroviral Therapy (ART) has been made available free of charge to all patients in need since August 2002. In September 2009, there were 122 persons (52 females and 70 males) on ART and being attended to by the Communicable Disease Control Unit (CDCU). The Ministry of Health and Social Development has developed guidelines for the management of patients infected with HIV and AIDS.

485. All HIV-positive pregnant women receive antiretroviral to reduce the risk of Mother to Child Transmission. This is possible because all births take place in maternity wards and

tests are also offered twice during pregnancy. In 2009 there were a cumulative total of 16 HIV-positive pregnant mothers.

486. There has been no reported case of HIV transmission through blood transmission in Seychelles. Since 1987, all donor blood is screened for HIV and Hepatitis B, and in 2001 screening started for Hepatitis C. From 2002 to 2009 there have been 57 cases (47 males and 10 females) of Hepatitis C which have been diagnosed, with 46 cases (38 males and 8 females) being reported in 2009.

487. A KAP study on Knowledge Attitude and Processes conducted in 2003 between the population ages between 16 to 65 years showed that awareness of HIV/AIDS was high but certain misconceptions exist. Women were more aware than men on a number of issues related to the transmission of HIV. 66.9 per cent of women compared to 63.4 per cent of men answered questions on prevention and misconceptions correctly.

Policies

488. Serious efforts to tackle the AIDS epidemic started in 1999 with the appointment of an AIDS Programme Manager in the Ministry of Health responsible for advocacy and prevention interventions in the community. In 2002, a draft National Policy on HIV/AIDS/STIs was developed and disseminated to all stakeholders. Two of the eleven objectives are gender specific aiming to increase the capacity of women as a vulnerable group to protect themselves against HIV/AIDS and STIs and to promote stable relationships and family values conducive to the control of these diseases.

489. Prior to 2001, the Ministry of Health had a series of short and medium-term plans to combat the disease. These were largely driven by the Ministry of Health. As the need for a multi sectoral approach became more evident, the National Strategic Plan (2005-2009) was drawn up after extensive consultations with stakeholders and technical and financial support from UNAIDS, WHO, UNDP, Government of Mauritius and the Indian Ocean initiative against HIV/AIDS. The plan specifically addresses issues pertaining to young girls and women, gender, empowerment and equality.

490. A number of structures are in place for the plan's implementation and a Directory mapping out all the interventions by different organizations/agencies has been created. These are; a National AIDS Council (NAC) which is a multi sectoral body chaired by the President of the Republic created in 2002; a National AIDS Trust created in 2002 for the mobilization of resources for prevention and control of HIV/AIDS; a Technical Advisory Committee within the Ministry of Health that discusses emerging issues on a regular basis; Civil Society (including NGOs and Faith based organizations) and the Private Sector that are involved in the national response and represented in various structures; and the Social Services Committee that deals with issues related to social services such as financial benefits, homecare and employment.

491. Workplace Policies on HIV and AIDS have been developed and implemented to protect employees against discriminatory and unfair labour practices in the workplace and to reduce the risk of infection in work places. The laws are applicable to the public and private sector. Minimum standards for HIV and AIDS workplace programmes have also been prescribed.

492. Annual campaigns of ABCs of safer sex have been organized since 2001. Other campaigns include Information Education and Communication (IEC) including age specific information and education through Personal and Social Education (PSE) in schools; promotion and distribution of both female and male condoms are done in all hospitals, district health Centres. Free voluntary testing services to all pregnant women preceded by counselling. HIV testing of all immigrants seeking employment in Seychelles is also emphasized.

493. Psychological support is available to those affected by HIV. This includes counselling, spiritual support, support in disclosing one's status and for engaging in safe sex or abstinence, medication adherence, end of life and bereavement support and economic assistance. Social security is provided to widows and orphans and those terminally ill.

494. One of the main challenges is the absence of an operational plan and a monitoring and evaluation framework. This is seen to be very crucial as it is considered one amongst the critical indicators for countries to acquire international support. The country is currently working on developing the monitoring and evaluation plan under the support and guidance of a WHO consultant.

495. HIV/AIDS presents a real and surmountable challenge for Seychelles because of its small close-knit population, limited resources and risky sexual behaviour of young people. Providing medical care for those infected will present a huge burden on the economy if the disease is not controlled. It is also important to recognise that HIV and AIDS is also a problem of pandemic proportions. Seychelles as a SIDS needs to be aware of the risks posed by the large numbers of potentially HIV/AIDS positive immigrants and tourists entering the country. The growth in prostitution and intravenous drug use pose an additional challenge to this issue.

Mental health

496. The Mental Health Unit provides in and outpatient services through the acute psychiatric ward in Victoria Hospital and the mental hospital at the North East Point. A community mental health service is also a component of the mental health programme. Victoria Hospital provides care for acute mental health problems whilst the management of those with chronic mental health problems is done in North East Point Hospital.

497. There has been a drop in the main diagnoses during 2008 compared to 2007. Male discharges contributed to 71.7 per cent in 2008 compared to 70.7 per cent in 2007. The leading discharge diagnosis, mental and behavioural disorders due to psychoactive substance which is 29.0 per cent of all discharges, was also the leading cause among males' discharges (32.2 per cent). Among the females, the leading discharge diagnosis still remained schizophrenia and delusional disorders contributing to 30.0 per cent of all female discharges in 2008. It is worth noting that discharges due to mental and behavioural disorders due to psychoactive substance used has declined from 153 in 2007 to 133 in 2008 which is 13.1 per cent less, and mental and behavioural disorders due to the use of alcohol has dropped from 115 in 2007 to 67 in 2008.

498. Care for the Elderly remains a priority in Seychelles. The estimated mid-year population of elderly aged 65 years and over (international standard) in 2008 was 6,856 (2,579 males, 4,227 females). This represents 7.9 per cent of the total population. The increase in the number of elderly has an impact on the socio-economic development of the country, particularly in relation to health and social services.

Article 13 - Economic and social Life

Right to family benefits

499. Article 32 of the Constitution: Protection of Families recognizes the family as a key component of society entitled to legal, economic and social protection.

'The State recognises that the family is the natural and fundamental element of society and the right of everyone to form a family and undertakes to promote the legal, economic and social protection of the family.'

500. The social welfare system in Seychelles is aimed at ensuring that all Seychellois enjoy an adequate standard of living especially those who are considered to be less fortunate. Article 37 of the Constitution guarantees to all persons a system of social security:

“The state recognises the right of every citizen to a decent and dignified existence and with a view to ensuring that its citizens are not left unprovided for by reason of incapacity to work or involuntary unemployment undertakes to maintain a system of social security.”

501. The range of services provided under the Social Security Act is listed below. Men and women are equally entitled to all benefits under Section 3(5) Social Security Act 1988: Person entitled to social security:

“The benefits under this Act are-

- (b) maternity benefit which consists of periodic payments to a woman, who is a person covered, in the event of her pregnancy or confinement;*
- (d) invalidity benefit which consists of periodic payments to a person covered who is partially or totally incapable of work;*
- (g) survivor’s benefits which consists of periodic payments in the event of the death of a person covered, comprising of-*
 - (i) widow’s benefit;*
 - (ii) widow’s pension;*
 - (iii) widowed mother’s pension;*
 - (v) industrial death pension;*
 - (vi) dependant’s benefit which consists of an increase to the personal periodic payments of benefits on account of the dependants of the beneficiary;”*

Table 26: Benefit types and rates as at November 2008

<i>Benefit types</i>	<i>Qualifying conditions</i>	<i>Calculation</i>	<i>2008 rates</i>	<i>2008 dependent rate</i>	<i>Time period</i>
Old age pension	Universal	63 years+	SCR 2200	n/a	Indefinite
Retirement pension	Contribution to pension fund	Retirement	Depend on contribution	n/a	Indefinite
Invalidity benefit	Loss of 75% earning capacity	Fixed	Rs2100	SCR 900 adult SCR 800 child	Indefinite for beneficiary until 18 yrs for child
Partial disability	Loss of 50-74% earning capacity	Means tested	SCR 1800	n/a	6 months
Survivor benefit	45+ year widow(er) 16 years or less for child	Fixed	SCR 1800		Indefinite
Orphan	No surviving parents	Fixed	SCR 1050	n/a	18 years old ceiling

Funeral	Universal	Lump sum	SCR 1500	n/a	n/a
Sickness			2 months full salary SCR 1800 for 120 working days after	800	2 months 120 days thereafter
Maternity	Universal	Means tested	2 months full salary SCR 1800 for 120 working days after	800	2 month 120 days thereafter
	Universal	Fixed/means tested			

Source: Social Security Fund (Country Report ICPD+15)

502. The newly established Social Welfare Agency (SWA) is an autonomous regulatory body established by the Social Welfare Agency Act No 22 of 2008. The SWA is responsible to administer and provide social assistance in terms of supplementary allowance in accordance with government's policy to those considered being more vulnerable and whose household income falls below the established threshold. The SWA forms part of the Macro-Economic Reform Programme (MERP) launched at the end of 2008, to provide a safety net for those most affected by the impact of the economic reform whilst ensuring that able bodied individuals are empowered to assume their social responsibility to become economically active and reduce dependency on welfare. The SWA replaces the Means Testing Secretariat established under the Means Testing Board Act (1999). Currently there is no sex-disaggregated data available from the SWA.

Access to bank loans, mortgages and other forms of financial credit

503. The capacity of women to participate in economic activities is crucial to alleviate poverty, increase standards of living and quality of life. A woman's access to credit for personal and social development is a strong indication of her ability to control her life situation. Due to the lack of sex disaggregated data by both commercial and state owned lending institutions, it has been difficult to accurately determine women's access to loan facilities. Accessing gender disaggregated information in this sector has been a persistent problem since 1993.

504. Four different types of lending agencies were however requested to provide gender disaggregated information for the report under the Convention. They are the (a) Concessionary Credit Agency (CCA) of the Department of Finance, acting as a one stop shop for concessionary credit facilities (b) the Seychelles Credit Union (SCU), a cooperative savings bank based on principles of self help (c) the Development Bank of Seychelles (DBS) which supports development activities by small entrepreneurs (d) the Nouvo Banque, a commercial bank with majority government shareholding.

505. All four agencies claim non-discriminatory lending practices based on company policy and not related to marital status or gender. The short case studies illustrate lending patterns and trends.

CASE 1

506. The Concessionary Credit Agency (CCA) was set up in November 2005 under the Ministry of Finance as a one stop shop for all existing concessionary credit facilities. Its aim is to help small entrepreneurs start a small business or expand an existing business by providing more flexible credit facilities such as low interest rates ranging from 0 per cent to 4 per cent, and reduced securities and grace periods for loan repayment. Loans are available for a wide variety of small business activities in art and craft, agriculture, fishing, tailoring, cottage industries and support to participate in fairs and exhibitions for

promotional purposes. The schemes have proved to be very popular with small entrepreneurs. Schemes managed by the CCA are:

- (a) Youth Employment Scheme (YES);
- (b) Small Business Finance Facilities (SBFF);
- (c) Agriculture Development Fund (ADF);
- (d) Export Marketing Scheme (EMS); and
- (e) Cottage Industry.

507. Maximum loan amounts range from SCR 20,000/ 25,000 for EMS and cottage industries, to 200, 000 for agriculture and small business projects. According to the CCA, a total of 325 loans were approved in 2006 out of which 187 (57.5 per cent) were allocated to women. In 2008, 305 loans were approved, 138 (45 per cent) of which went to women. Women applied for loans mostly under the YES and Cottage Industry schemes. Loans were taken for activities such as tailoring, snack production, child minding, handicraft, and backyard farming. Men borrowed for maintenance contractor, carpentry, agriculture, food take away businesses, cleaning contractor mainly under the YES and SBFF, and ADF schemes. Data on the total value of loans provided is not available. However, records show that men borrow under larger schemes with higher loan ceilings.

508. Data from 1993 for comparison is not easily accessible. In 1996 and 1997, the YES Scheme was managed by the Seychelles Industrial Development Corporation (SIDECE.) The 1994 report on the 'Situation of Women' states that SIDECE approved 430 out of 1769 (24.3 per cent) loans for women in 1996 and 174 out of 669 (26 per cent) in 1997. Although not strictly comparable, because CCA figures are for combined loans under the five schemes, the number of women lending money for small businesses appears to have doubled over the last seventeen years.

CASE 2

509. The only commercial bank that responded to a request for information was the Nouvobanq set up in July 1991. Government is a major shareholder in the bank with 78 per cent shares and Standard Chartered PLC, London holds 22 per cent shares. The Bank has a main Branch in Victoria, Mahe and two branches on Praslin and La Digue Islands. It is regulated by the Central Bank of Seychelles and headed by a Board of Directors. There are seven male members on the Board of Directors, (one woman served as Director from 2005 to around 2008). The bank employs 77 females and 17 males. There are 2 women on the Credit Committee made up of 5 members and 2 women out of 5 on the Assets and Liabilities committee. According to the bank, fifteen women occupy senior positions.

510. No statistics on the specific number or value of loans accessed by women could be provided by the bank. The bank stated in general terms that 70 per cent of loans disbursed over the last 10 -15 years have been allocated to women who hold accounts with the bank. Women apply mostly for House Loans, Development Loans, House Renovation and Maintenance Loans and loans for the purchase of home appliances. Men apply for loans for vehicles, boats, electrical appliances; Hi-Fi Sets and a small percentage apply solely for house loans. When men apply for house loans, they do so jointly with women.

CASE 3

511. The Development Bank of Seychelles (DBS) was created in 1978 by Decree No. 21. The bank's purpose is to contribute to economic development by providing financial assistance for economically, sound and technically feasible projects in the areas of agriculture, fisheries, industry, services, tourism and tourism related project. The Bank

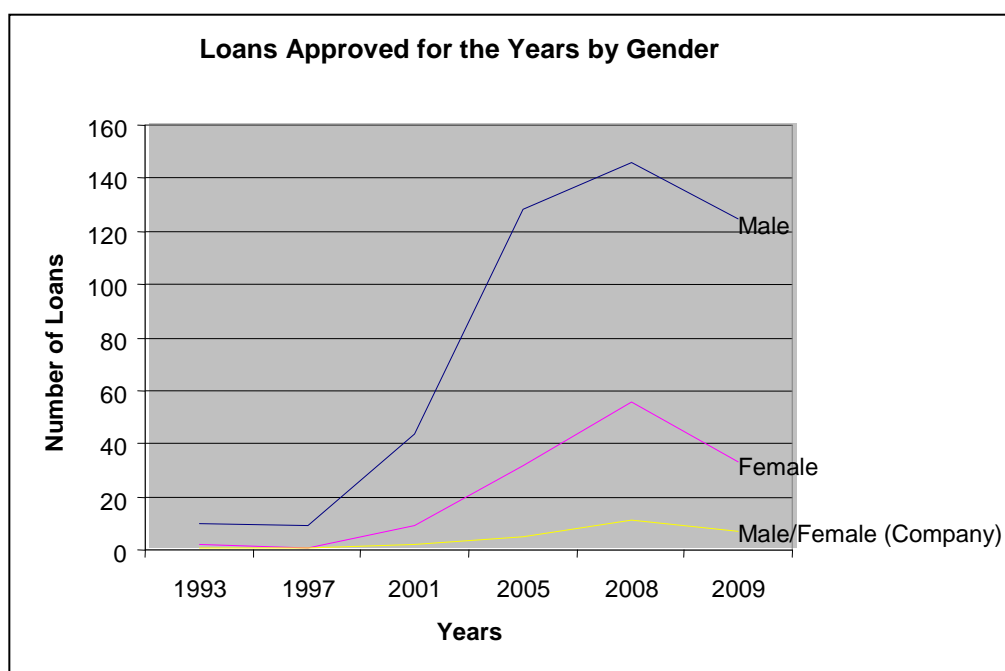
finances mainly small to medium-sized businesses, including start up businesses. This is seen as a vital role as it helps support one of the main pillars of the economy.

512. The bank is popular with small and medium sized entrepreneurs because of its conducive lending terms. Loans are granted on soft terms, with grace periods and long loan duration for period up to fifteen years, depending on projects. The Bank has strived to maintain a low interest rate charge on borrowers. All Seychellois citizens have equal rights to access a loan from the Development Bank of Seychelles as long as the loan meets the Bank's criteria and is for a development project. (The criteria for loan applications are attached in appendix 8)

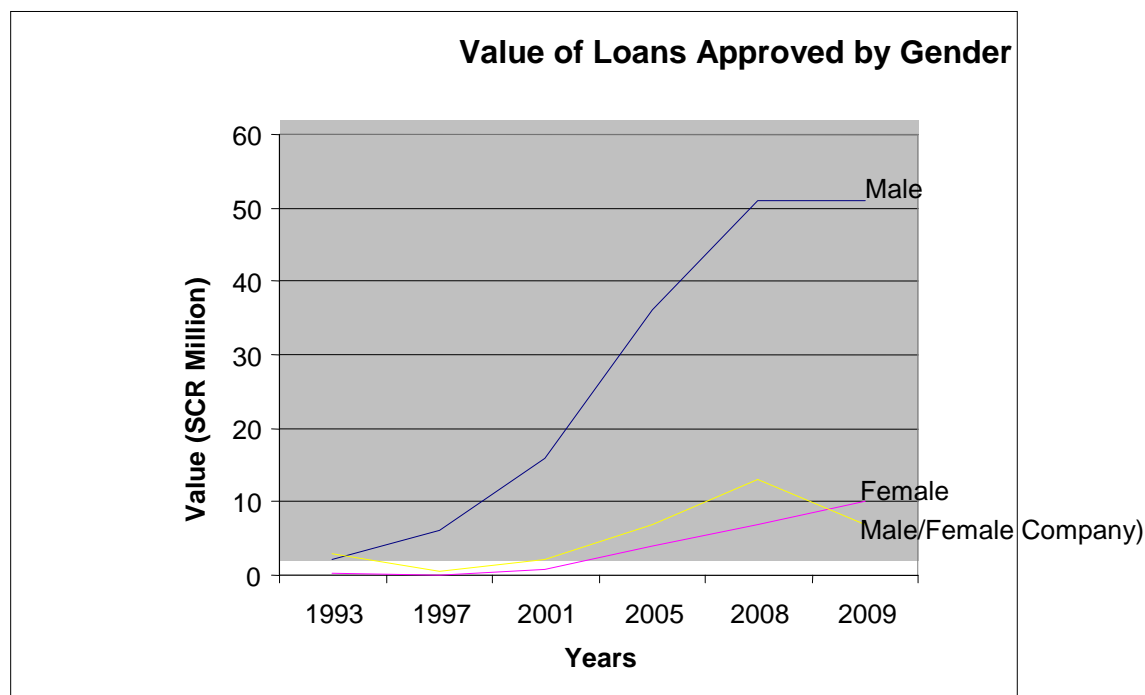
513. There is 36 staff in total comprising of 7 males and 29 females. At corporate level, there are three male managers and five female managers. At board level, there are five male and three female board members. Both chairman and vice-chairman are male. The previous chair was female.

514. Figures 8 and 9 shows the number of loans and value of loans approved by sex from 1993 onwards. The bank's analysis and explanation is provided as illustration.

Figure 8: Loans approved, by year and sex



Source: DBS

Figure 9: Value of loans approved, by year and sex

Source: DBS

515. Men are by far the largest borrowers both in terms of numbers and value of loans although the number of loans given to women has showed a steady increase since 1993. The number of loans approved under 'company' (male/female) has increased over the years. The slight decline in 2009 has been due to the country's economic restructuring that took place in November 2008. Three reasons are given by the bank. 1) Men are major borrowers for fisheries and agricultural projects while women apply for small projects in craft, tailoring, hairdresser and artisanal industries. This already represents a good chunk of the loan portfolio. 2) Loan applications for commercial buildings are received from partnerships made of male and female or male only. 3) Sub-sectors such as loans for taxis, pick-up hire and boat charters are male dominated. Women very rarely apply for loans in these sectors. Only 1 woman has applied for a loan for a taxi.

516. Value-wise it can be observed that the male gender dominates the Bank's credit portfolio. In 2009, loans for a value of SR10 million were given to women while men received over SR50 million. No research has been carried out by the bank but one observation made by the bank is that females are more prudent and risk averse when it comes to investment.

Table 27: Sector dominance by women, by year

Years	1993	1997	2001	2005	2008	2009
Sector	Industry	Services	Services	Services	Services	Services
No. of Loans Approved	2	1	7	19	40	23
Total Number of Loans for Women	2	1	9	32	56	33

Source: DBS

517. Table 27 above shows that most of the loans made by women were in the service sector.

CASE 4

518. The Seychelles Credit Union is a co-operative savings bank set up in March 1970 founded on the philosophy of cooperation and its central values of equality, equity and mutual self-help. It is committed to principles of non-discrimination in relation to race, sex, religion and politics. Its main role and objectives since its inception has to encourage thrift among its members through the mobilization of savings in order to give loans to its members at a fair rate of interest.

519. In 2009, there were no women serving on the board made up of 5 persons. Women serve on the Supervisory Committee as well as the Credit or Loans Committee. The bank employs 30 full time staff which includes 22 females. Two women are heads of their respective departments.

520. The CSU has a membership of over 11,000 and women constitute the majority of members. The criteria for loans are applicable to all members irrespective of sex. Loans are granted based on the members' character, collateral provided and the capacity to repay.

521. A total of SCR 64 million was lent to 1,400 borrowers in 2009. Unfortunately the statistics are not gender disaggregated. According to bank records women tend to borrow for purchase of household items such as furniture, fridges, cookers, washing machines, TV sets, home repairs and maintenance as well as purchase of land and setting up small scale businesses. Men on other hand tend to borrow for vehicle purchases (both commercial and leisure), land, as well as financing business enterprises such as retailing and maintenance contracts.

522. Women tend to honour their obligations, discuss their problems and strive hard to repay their loans. There are far more loan delinquency cases among men compared to women. The sense of pride as well as commitment and responsibility are more noticeable among women.

523. The four case studies illustrate some commonalities. Women borrow money mostly for home improvements and small projects in craft related and home manufactured industries. They borrow small sums and are reliable repayers. Overall, the number of loans disbursed to women has continued to increase over the years though no accurate figures are available for comparison. The majority of staff working in four agencies is women but they are unequally represented at board and senior management level.

524. The 2002 census report indicates that there were only 793 self-employed females as compared to 4,050 self-employed males; and 131 female employers as compared to 310 male employers in 2002. Unfortunately there are no recent statistics to accurately monitor progress. The 2010 census will provide a clearer picture of women's achievements as entrepreneurs and owners of business.

Examples of best practice in promoting women in small business

525. The Small Enterprise Promotion Agency (SEnPA) created in 2004 has played an important role in promoting women's participation in economic activity and developing small enterprises, crafts and cottage industries. It was set up to implement the government policy on small business development and provide structures for the sustainable development of small businesses.

526. SEnPA employs 23 staff members (13 women and 10 men). The CEO and the Chairperson of the SEnPA Board are women. SEnPA does not provide credit facilities but assists small businesses with counselling services such as producing business concepts, developing corporate identities, and completing application forms and project proposals for loans applications. It also provides marketing advice and guidance as well as capacity building to improve the skills of potential small entrepreneurs. Some of the training carried

out by SEnPA has included courses in business management, customer relations, A to Z of doing business, selling skills as well as workshops to improve skills in craft work such as bamboo, fibre, textiles etc. It has helped to put in place structures such as the Textile, Tailoring, Hairdressing and Food Associations. Eighty percent of the chairpersons of these associations are women. SEnPA also organizes special events such as exhibitions and trade fairs to help small businesses in the promotion and innovation of their business enterprises. SEnPA Christmas trade fairs have proved to be very popular with the public and allowed many women to market their products. It has recently introduced a Small Business Award competition to recognize quality and excellence. A full list of SEnPA's activities is available on the website at www.senpa.sc.

527. The cottage industry concept simply means business carried out in the home which employs less than five persons, has an annual turnover of less than SCR 800,000 and is non-pollutant. As at 2009, SEnPA had 1,168 females and 568 males registered in cottage industries.

Table 28: Cottage industries registered with the Small Enterprise Promotion Agency (SEnPA), by sex

SECTORS	MALE	FEMALE
Handicrafts	266	296
Horticulture	11	44
Food Processing	101	174
Manufacturing	32	7
Professional services	101	98
Tailoring	18	546
Repairs and maintenance	39	3
Grand Total	568	1168

Source: SEnPA

528. APANA (Atelye Pou Apran Nouvo Artisan) was set up in 1991 by an expatriate artist as a workshop and art centre to provide new types of creative experience using recycled materials for young people living in the south of Mahe. After 17 years of experience with recycled paper, reeds, shells and beads, the association, which has an active membership of 35 women of all age groups, has launched into glass making on a small commercial scale. This century old art is seen as the key for transforming the association into a self-sustainable organization as well as helping to protect the environment from tons of waste glass. Further information on the association can be obtained from their website at www.apanango.org

Right to participate in recreational activities, sports and all aspects of cultural life.

Culture:

Box 10: Right to culture

39.(1) The State recognizes the right of every person to take part in cultural life and to profess, promote, enjoy and protect the cultural and customary values of the Seychellois people subject to such restrictions as may be provided by law and necessary in a democratic society ...

39 (2) The State undertakes to take reasonable steps to ensure the preservation of the cultural heritage and values of the Seychellois people.

529. Article 39(1) of the Constitution of Seychelles (box 10), guarantees all citizens the right to take part in cultural life and engage freely in the promotion and preservation of the Seychellois culture. Under Clause (2), the State undertakes to preserve the cultural heritage and values of the Seychellois people. The Cultural Policy of the Republic of Seychelles (2004) provides the general framework, as well as the specific goals and guidelines for the development and preservation of the Seychellois culture. The policy reaffirms that ‘access to cultural development and expressions is the right of every citizen’. Article 9 under the goal of cultural diversity seeks to ensure ‘that *women and men have equal access to all opportunities in the arts and cultural fields*’.

530. The ability to participate in cultural activities is dependent on a number of other rights such as the freedom of expression, the freedom of association and the right to education all of which are guaranteed equally to men and women under the Seychellois Charter on Fundamental Rights and Freedoms in Chapter 111 of the Constitution of Seychelles.

531. There are no legal restrictions to women’s participation in the whole range of cultural activities offered by the Culture Department. Male and female artists can participate in the arts in an individual capacity, in group performances, collective art exhibitions, or in district community arts programmes.

Background: The department of culture and related arts and cultural institutions

532. The Culture Department in the Ministry of Community Development, Youth, Sports and Culture is responsible for the planning, organizing and development of the arts and culture. The department is comprised of the Culture Division, as well as the National Arts Council, and the Seychelles Heritage Foundation, which are both body corporate responsible to the Culture Department.

533. The Culture Division has five sections, namely: National Archives, National Museums, National Library and Documentation, National Conservatoire of Performing Arts, and National Heritage Research and Protection. Each of these institutions has specific mandates for the preservation, promotion, protection and development of the Seychelles Cultural Heritage. The Division is under the responsibility of a Director General who reports to the Principal Secretary of the Culture Department.

534. The National Arts Council of Seychelles is responsible for the Arts, Arts Associations and practicing artists in the visual, performing, literary and digital arts. It is governed by the National Arts Council of Seychelles Act (Laws of Seychelles, Chapter 136, revised edition, 1991). The CEO (female) of the National Arts Council is in charge of the daily running of the Council and reports to the Minister, and also to the National Arts Council Board. The National Arts Council Board (5 males and 4 females) is an advisory body for the promotion and development of the arts comprised of nine members, appointed by the Minister for a period of two years.

535. The Seychelles Heritage Foundation is responsible for the maintenance and preservation of historic and cultural sites as well as cultural landscapes and is an independent institution which is attached to the parent Ministry of Community Development, Youth, Sports and Culture. It is governed by the Seychelles Heritage Foundation Act (Act 11 of 2006) and is responsible to a CEO (male) and a Board of Directors comprised of eight members (five males and three females) appointed by the Minister for Culture for a period of 3 years.

Strategic plans

536. The Culture Department Strategic Plan (2008-2012) outlines programmes specifically related to various aspects of culture in the five cultural institutions of the Division of Culture. There are no specific programmes for women under gender.

537. The current National Arts Council of Seychelles Act (Chapter 136, 1991) does not address gender in the statutes of the Council. As a result, neither the National Arts Council Strategic Plan (2009–2010), nor the more recent National Arts Council Business Plan (2010), have defined any specific programmes or projects to encourage the active participation of women and the girl child in the arts or to highlight their presence in the artists' community and in public.

Participation of girls and women in cultural activities

538. Girls and women participate actively and to a greater extent than boys and men in all cultural activities organized at school and community level, and are highly visible in national manifestations such as the Creole Festival held annually in celebration of the Seychellois Cultural Heritage. Artistic and cultural offerings at national level do not have balanced representations of women and men. Women are the majority in spontaneous and grassroots displays of popular culture and district community arts programmes. More girls than boys participate in activities and competitions organized by the National Arts Council of Seychelles and the National Archives to promote knowledge of Seychelles' culture, whereas more boys than girls participate in the outdoor activities organized by the National Museums, to promote knowledge of the natural environment. (See appendix 3).

539. The Visual Arts Programme Area, in the Seychelles Polytechnic, Ministry of Education, offers courses in design, textile, fashion, fine arts and graphics. Girls make up the majority of students in the School of Visual Arts and the Conservatoire of Performing Arts. The National Conservatoire of Performing Arts is an institution offering part-time courses in music, dance and theatre arts, including Seychellois traditional music and dance. From 2008 to January 2010, the School of Music and Dance registered a total of 109 students, of which 78 were females and 31 males. In the School of Drama 7 girls (below the age of 12) registered in 2009. There were no male candidates. In 2008/2009, the National Children's Choir enrolled a total of 43 members, 39 girls and 4 boys. The National Choir (adults) enrolled a total of 60 members in 2008/2009, 44 females and 16 males.

540. Women also make up the majority of workers in the Culture Department, the National Arts Council, and the Seychelles Heritage Foundation. (188 females to 88 males). They are largely responsible for the organization of cultural activities as well as the administration of culture. The large majority of librarians and researchers at the Kreol Institute, the National Museums and National Archives are women.

541. Consequently women have also been the ones to have been most affected by the government downsizing exercise carried out in all ministries as part of the economic reform programme.

Women in international arts events

542. Women have an equal opportunity to participate in international arts events such as festivals, dance and musical performances, art exhibitions, literary performances, as well as workshops.

543. In 2008, 7 male artists as opposed to 1 female artist participated in art exhibitions abroad. In 2009, 56 male artists and eight female artists participated in international festivals.

544. Seychellois women have also succeeded in winning 8 international awards in the arts. From 1976-2009 women writers and poets have won five literary awards, one art award, and two music awards, making a total of eight as opposed to nine awards won by men.

Women as professionals

545. Women and girls are less present in art forms with high profiles (i.e. music and art), and few women compared to men are engaged in art work as a profession. According to current statistics provided by the National Arts Council of Seychelles, there are a total of 155 (24 per cent) female practicing artists, as opposed to 491 (76 per cent) male artists from a total of 646 artists in Seychelles in the visual, performing and the literary arts. Women are more prominent in the literary arts, fashion, traditional music groups and theatre. They are less visible as artists, sculptors and individual musicians.

546. There are 33 Small Business Art Enterprises in Seychelles (Creative Industries) owned by men. There are no women proprietors of art industries. Very few women seek grants from the National Arts Council of Seychelles⁵⁹, or loans for small business art projects from the government's Concessionary Credit Agency.

547. In 2008, the NAC assisted one female artist with a grant of SR1, 600, whereas 18 male artists requested a total of SCR 59,553 from a gross total of SR61, 213 allocated to artists under this programme. In 2009, 37 male artists received a total of SCR 256,562.90 as opposed to 2 women who requested loans totalling SCR 3,089.70 for the organization and staging of solo art exhibitions.

548. All grant applications are approved non-discriminatorily by the National Arts Council Board based on criteria established by the National Arts Council. As indicated by the statistics, it is evident that women artists are not taking full advantage of this programme.

549. Artists can also obtain more substantial loans from the Concessionary Credit Agency (CCA) in the Ministry of Finance, which provides small business enterprises with start-up loans for music recording studios, art galleries, film production, setting up music bands, DJ music entertainment, film and music production, book publications, and poetry recitals, among others.

550. Women who wish to obtain assistance for small and medium arts-related enterprises may request loans up to SCR 200,000 under different schemes offered by the CCA. Statistics from the CCA show that only two women applied for loans in 2008 and only 1 woman received a loan of SCR 35,000 for film production as compared to 14 men. In 2009, 13 men received loans. There were no women applicants.

Factors and obstacles

551. No studies have been conducted to determine why girls and women do not sustain their interest in the arts or pursue careers in arts beyond school in spite of their interest and commitment for art studies and the provision of equal opportunities. A number of possible factors have been advanced. They are cultural upbringing; social factors such as early pregnancy and single motherhood among adolescent girls and women; lack of encouragement from spouses or partners for women artists to pursue their artistic interests

⁵⁹ The National Arts Council of Seychelles Artists' Grant Programme offers artists a maximum sum of SCR 5,000 for small arts projects, such as launching of music albums, purchase of art supplies or musical instruments, dubbing of DVDs, art exhibitions, theatre productions etc.

while maintaining family or relationships; and also the social stigma often imposed on women who pursue an artistic career.

Improvements envisaged

552. The National Arts Council of Seychelles Act is currently being revised and updated in response to new developments in the arts and culture as well as policies, one of which is gender. From its creation in 1984, the NAC has promoted and assisted all men and women artists indiscriminately. However, it has not yet defined programmes or projects specifically for women or the girl child. This will be rectified by ensuring that there is a clause in the revised NAC Act which will address not only the imbalance of female–male artists, but also initiate women-related programmes to encourage more participation, provide more moral, artistic and financial support, and promote women artists and their works more prominently both locally as well as regionally and internationally.

Women and sports

553. The Seychelles Sports Policy seeks to ensure that every Seychellois has the opportunity to play, receive physical education and acquire basic sports skills; acquire a lifelong habit of sport and leisure activity in all forms and have the opportunity to develop and maximize individual talents.

554. Seychelles joined the international scene in 1979 when the National Olympic Committee was formed. Its first International competition was the first Indian Ocean Island Games held in Reunion in 1979. The year 1980 also saw Seychelles first participation in the Olympic Games. Mass participation in sports was encouraged by government's decision to regionalize sports in 1980.

555. In Seychelles, women participate in the whole range of individual and team sports available in the country except for boxing, a number of measures have been taken to facilitate the participation of women in sports. In 1999, the Minister responsible for Sports (who happened to be a woman at that time) established a women and sports committee to examine issues concerning women and sports in the country. This move was spurred by Seychelles' adoption of the Brighton Declaration on Women and Sport and the Windhoek Call for Action. Previous to that, two committees had been established but 1999 was significant because it was the first year it received a budget of SCR 100,000 and was accountable directly to the Minister. Over the years, the budget allocation has been reduced from SCR 100,000 to SCR 26,000.

556. The committee organized a sports day for women on the International Women's Day in 1999, and hosted a seminar in May of the same year. The seminar was aimed at identifying problems affecting Seychellois women in sports, and proposing solutions for them. Following the seminar, the Seychelles Women and Sports Association (SWASA) was established and an Action Plan for 2000-2004 developed. The aim of the plan was "to ensure that girls and women have access to a complete range of opportunities and choices and have equity as participants and leaders in sports and physical activities." During September and October of 2000, the committee organized youth seminars on various topics including harassment, peer pressure, teenage pregnancy, substance abuse and fair play. Similar youth seminars were planned for 2001 on the islands of Praslin and La Digue.

557. On the invitation of the Seychelles Olympic and Commonwealth Games Association (SOCGA) and the Seychelles Women and Sports Association (SWASA), women from Seychelles, Mauritius, La Réunion and Madagascar met in Seychelles in 2008 to discuss and exchange experiences to improve the involvement of women in all areas of sport. Topics covered included physical education for girls in school, the role of government and media in promoting women's sport, evolution of women's involvement in sports

administration as well as promoting women's health and wellbeing through physical activity.

558. In 1999, two surveys were carried out, its main objectives were: (1) to compare the number of women and men involved in coaching, officiating and administration for the 12 sports that featured in the Indian Ocean Island Games and (2) examine the situation of women in sports and develop appropriate strategies to support them.

559. The first survey found that while women and girls account for more than half the country's population, their participation in sports and recreation was considerably less than that of their male counterparts. Women also have unequal status in administrative and management roles in sports and leisure organizations as seen in table 29 below. The situation is very similar in 2009 except for three additional coaches in Football, Volleyball and Basketball.

Table 29: Number of women in coaching, officiating and administration

	<i>Female</i>	<i>Male</i>	<i>% female</i>
Coaches	4	129	3.1%
Officials	77	171	31%
Administrators	23	85	21.2%

Source: National Sports Council

560. The second survey identified the following barriers to women's participation in sports:

- Time pressures/household responsibilities
- Financial incentives for single mothers
- Childcare services
- Distance from home/transport problems
- Lack of self confidence
- Poor self image/health weight problems
- Harassment/unfair decisions
- Lack of information
- Lack of communication in families/jealous husbands/partners
- Lack of activities for over 35 age group
- Lack of high level training
- Lack of women officials, coaches and administrators
- Poor media coverage of women

561. A list of 32 strategies was identified (see appendix) and an action Plan (2000-2004) developed to address the issues. In spite of numerous constraints, Seychellois female sportswomen have made remarkable achievements and produced higher and better results for the country than the men. Some of the outstanding female award winning medallists in regional and international championships are Shrone Austin (swimming), Celine Laporte (Athletics), Lindy Leveau Agricole (javelin) also participant in 2008 Olympics, Janet Therlermont (weight lifting), Meggy Gertrude (laser) and Juliette Ah-Wan (badminton and 2008 Olympics participant). At the administrative level, Giovanna Rousseau, Director of

high level sports, has achieved the highest grade (International Technical Official) in athletics officiating. The only team sport in which Seychelles has excelled is volleyball.

562. The *Commission de la Jeunesse et de Sports de l'Océan Indien* (CJSOI) is a sub-regional organization which aims to promote youth and sports development within its membership comprising of French speaking island countries and Djibouti. Seychelles is part of this organization and it is well-known for its active pursuit of the participation of girls and young women in all CJSOI's programmes. So much so, that Seychelles was the first member to have hosted the CJSOI Games in 2008 with male and female participation in all six sporting disciplines selected.

Sports for all

563. The National Sports Council has a section that promotes sports for all and a large number of activities are organized during the year. In big manifestations, participation is well balanced between men and women except for football where there are more men and netball which is for women only.

564. Activities for children attract equal numbers of boys and girls and the same applies for activities that are organized for work places. Other activities such as keep fit classes, activities for senior citizens and walking and jogging are dominated by women. Nature walks, fitness trail and swimming have equal representation of men and women. The eco-healings runs are also getting very popular and these are attended by 60 per cent men. The walking event has more women.

Article 14 - Rights of rural women

Definitions of rural/urban in the context of Seychelles

565. There are strictly speaking no rural areas in Seychelles except for some of the geographically dispersed outer islands managed by the Island Development Company (IDC), a parastatal company established in 1980 to promote agriculture and tourism on some of the outlying islands. There are no fixed populations on these islands. Workers in the tourism and agriculture sectors are on fixed term contracts with IDC, and have access to all basic amenities. The Census report does not use the urban/rural classification.

566. Seychelles is divided into 25 districts which serve as constituencies for legislative and presidential elections and as geographical units for local administration and community services. The population of Seychelles is unevenly distributed among the districts and islands (table 30). All the districts except for three (two on Praslin and one on La Digue and outer islands) are on Mahe, the main island. There is a fairly equal distribution of men and women in each of the districts. Eight-seven per cent of the national population lives on Mahe.

Table 30: Population by administrative divisions in 2002, by sex

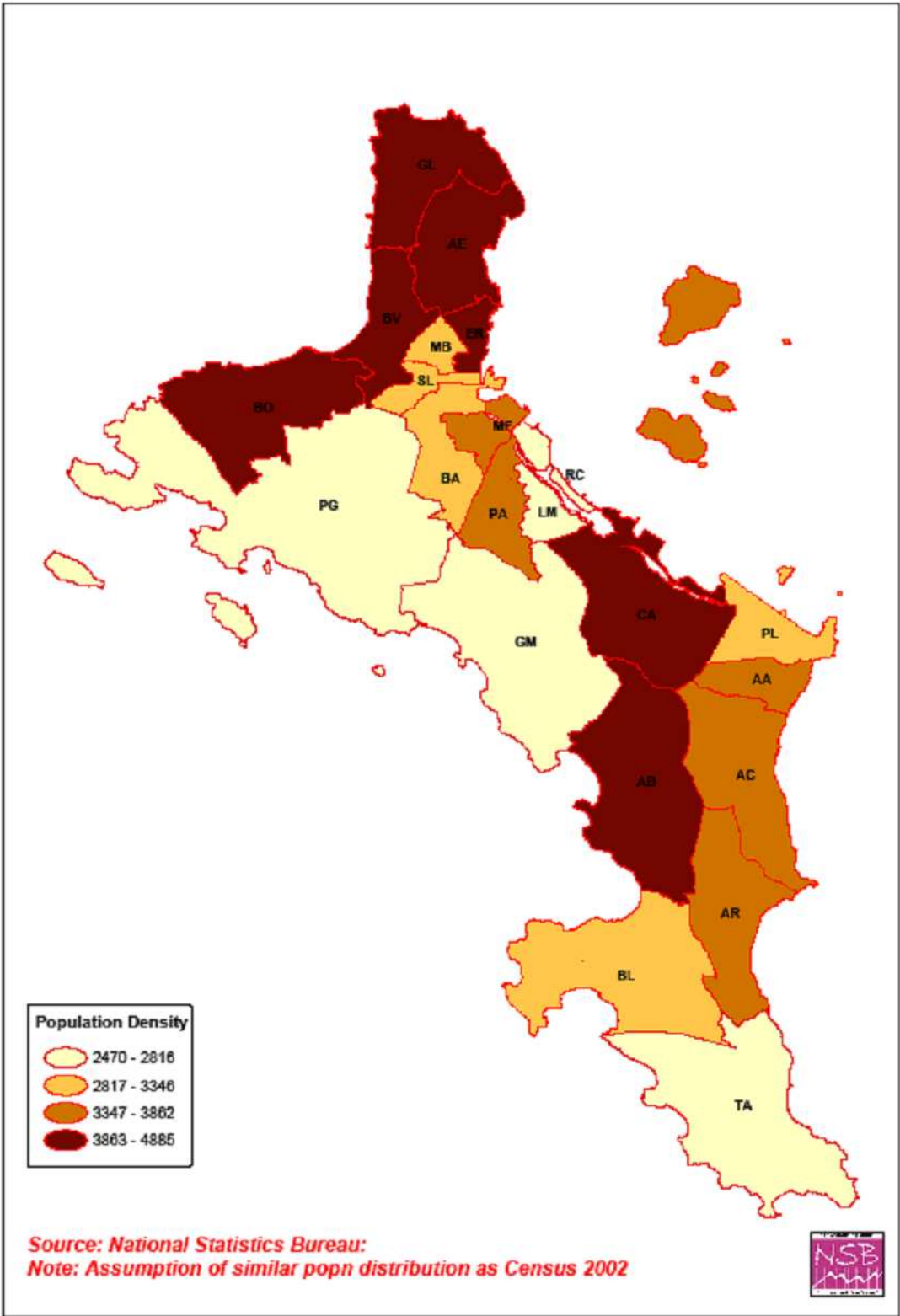
<i>Administrative Division/Region</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Area in km2</i>	<i>Population</i>
CENTRAL					
Bel Air	1360	1559	2919	4.41372	661
English River	1911	1701	3612	1.38069	2616
Les Mamelles	1205	1186	2391	1.67536	1427
Mont Buxton	1522	1588	3110	1.18731	2619
Mont Fleuri	1566	2032	3598	1.7872	2013

<i>Administrative Division/Region</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Area in km2</i>	<i>Population</i>
Plaisance	1778	1636	3414	3.37392	1012
Roche Caiman	1421	1252	2673	0.942352	2837
St Louis	1671	1606	3277	1.42017	2307
EAST					
Anse Aux Pins	1822	1742	3564	2.4544	1452
Anse Royale	1851	1836	3687	7.18207	513
Aux Cap	1624	1591	3215	8.28006	388
Cascade	1780	1668	3448	10.04542	343
Pointe Larue	1343	1374	2717	3.373953	805
Takamaka	1337	1272	2609	14.3418	182
NORTH					
Anse Etoile	2325	2069	4394	5.85143	751
Beau Vallon	1914	1902	3816	4.60563	829
Bel Ombre	1891	1731	3622	9.37918	386
Glacis	1775	1817	3592	6.68237	538
WEST					
Anse Boileau	2069	1967	4036	12.06355	335
Grand Anse Mahe	1328	1266	2594	15.7516	165
Baie Lazare	1523	1461	2984	12.06837	247
Port Glaud	1091	1093	2184	26.6759	82
PRASLIN					
Baie Ste Anne	1810	1926	3736	22.553	166
Grand Anse Praslin	1548	1819	3367	15.05671	224
La Digue	1070	876	2104	14.6	144
Other Islands	216	876	1092	248.1	4
TOTAL	40751	41004	81755	455.5	179

Source: NSB, National Population and Housing Census 2002

567. According to the Seychelles ICPD + 10 report (which cites a UNDP 1997 source), Seychelles is one of the most urbanized countries in the Indian Ocean in terms of both the percentage of urban population (60 per cent) and urban area as a percentage of total land area (about 23 per cent). The topography of the land rises steeply from narrow coastal plains to heights above 900 metres and makes it unsuitable for settlement. About 50 per cent of the total land area is protected as natural reserves.

Figure 10: Estimated population density Mahe, 2008



568. The average population density per square kilometre has risen from 163 in 1994 to 191 in 2008 (NSB 2008). Although this figure is still low, some of the districts like English

River, Mont Buxton and St Louis which form part of the suburbs of Victoria have high densities.

569. The scarcity of land for industrial development and settlement has made it necessary to reclaim about 525 hectares of land from the sea as part of the East Coast Development Plan. A major housing project comprising of 800 units is being built on one of the reclaimed islands close to Victoria, Ile Perseverance. It is thus estimated that urbanization will continue to increase in the years to come.

570. All districts on Mahe and the two main islands Praslin and La Digue have a school, health centre, community centre, district administration, shops and basic amenities. Women have equal access to all facilities available in the districts.

Transport

571. There were 508 km (490 surfaced and 18 unsurfaced) of roads in 2007 in Seychelles (NSB 2008). All districts are well served by the road network which includes primary, secondary, estate and feeder roads. Public transport is provided by the Seychelles Public Transport Corporation (SPTC) on Mahe. All pensioners (aged 63 and above) and the disabled are entitled to free transport on any destination on SPTC buses. The 2006/2007 Household Survey notes that 21 per cent of households own a motor vehicle. Figures for vehicle ownership are not disaggregated by sex.

Access to housing, sanitation, electricity and water supply, transport and communications

572. According to census reports, there were 17,107 households in Seychelles in 1994. This increased to 20,933 in 2002. Women headed households constituted 49 per cent of all households in 2002. A relatively high percentage of households (66.3 per cent) are owner occupied in 2002. Household sizes have decreased from 4.9 in 1997 to 3.9 in 2002. Institutional population makes up less than 1 per cent of households (Census 2002).

573. The near totality of households enjoys good living conditions. Progress made in relation to basic amenities such as housing, sanitation, electricity and water supply is reflected in table 31 which compares figures derived from the 1999/2000 and 2006/2007 Household Budget Survey.

Table 31: Comparison of basic amenities and communications in 1999/2000 and 2006/2007

<i>Indicator</i>	<i>% of Households</i>	
BASIC	1999/00	2006/07
Water storage tank	36	52
Owner occupied dwelling	79	72
Stone/block dwelling construction	79	83
Treated water supply	85	86
Refrigerator	93	97
Flush toilet	95	98
Electricity	95	99
INFORMATION and COMMUNICATION		
Internet services	2	10
Cellular phone	21	75
Telephone (fixed line)	71	60

<i>Indicator</i>	<i>% of Households</i>	
Television	90	97
OTHER		
Air conditioner	2	4
Motor cycle	3	3
Computer	5	20
Motor Vehicle	18	21
Washing machine	36	63

Source: NSB, Household Budget Survey 1999/2000 and 2006/2007

574. There is a net increase in access to all the basic amenities over the period of six years. In 2006 99 per cent of households had electricity supply and 86 per cent were connected to a treated water supply. A further 52 per cent had access to a water storage tank and 98 per cent of households had a flush toilet. This demonstrates a very high level and coverage of sanitation across the entire spectrum of the population.

575. The most spectacular increase is in the communications sector which has seen a rapid expansion of cellular phones from 21 per cent in 1999 to 75 per cent in 2006. Furthermore, 97 per cent of households have television and internet services have risen from 2 per cent to 10 per cent.

576. 566. Although the data are not sex disaggregated, we can safely assume from the very high national percentages and the high percentage of women headed households that the large majority of Seychellois women are able to enjoy a good standard of living with access to all the basic amenities.

577. The high standard of living is also reflected in the large number of households who own refrigerators (97 per cent), washing machines (63 per cent) and lives in stone/block dwellings (83 per cent). These figures are also very significant from a gender perspective. Seychellois women still carry a large burden of the responsibility for household chores. Access to modern comforts and technology in the home considerably reduce the time spent by women on domestic chores such as washing and cooking. Women are also able to benefit from leisure entertainment in the home. Over 56 per cent own video players and 57 per cent other entertainment such as Hi-Fi.

578. It can safely be assumed from the statistics that women are sharing the fruits of progress in terms of access to amenities on equal basis with men.

Participation in community activities

Local Government

579. In April 1994, Government established a Ministry of Local Government and embarked on a decentralization programme with the main aim of bringing services closer to the people. District Administrators (DA) with experience of community development were appointed to act as the interface between central government and the local community. Each district was provided with an Administration Office and the necessary community facilities to promote decentralization of all services and organize activities for all age groups.

580. In August 1996, the Local Government Department became the Community Development Department under the Ministry of Community Department and Youth. Besides providing DAs with planning and programme development support as well as financial and operational resources, it remained focused on empowerment of local communities and promoting community based involvement and participation.

581. DAs work in partnership with local representative groups and associations, community-based public and non-government agencies, the representative Member of the National Assembly, and the District Community Council to foster community participation in national development, and promote a healthy living environment. In 2009, there were 13 females and 11 males appointed as District Administrators.

582. Some of the main Community Programmes are:

Neighbourhood Recreational Activities	<i>Caters for the differing needs of children, both males and females, aged from 5 to 15 years old, in their sub-communities under the supervision of an adult (animateur). Children are provided with the opportunity to share experiences, cultivate new friendship, acquire and develop basic skills and get involved in activities as alternatives to negative influences.</i>
Senior Citizens	Encourages social active lifestyles Develops, promotes and organizes activities responding to the needs of the seniors.
Family Council	Promotes, defends, and protects the interest and the welfare of families; empowers families to fulfil their expected roles in the district, through an integrated approach. Promotes activities and projects by upholding beliefs, living values and positive attitudes conducive to stable family life styles.
Disabled Support Group	Promotes the welfare of the disabled in Seychelles; develops, and assists with the promotion of sports, leisure and recreational activities for the disabled and their parents; develops and implements programmes to allow disabled individuals to become more productive, collaborate with agencies and organizations promoting welfare of the disabled.
Emergency Brigade	Offers assistance to the community in the event of any disaster, emergency, cleaning or maintenance of properties. They are recognized as an important component in the National Disaster Plan chain of operations.

District- based structures

District teams

583. They are interagency teams composed of representatives from Ministry of National Development, Land Transport Division, Ministry of Health and Social Development, Dept of Culture, Dept of Environment, Ministry of Education, Department of Police, Property Management Corporation, Housing Finance Corporation, Department. of Agriculture, Youth Department and Sports Department. District teams are chaired by the DA. The team meets on a monthly basis to formulate and implement action plans with a common agenda.

District community council

584. District community councils are advisory bodies appointed by the ministry responsible for community development based on recommendations from the DA.

District social committees

585. Social Committees are made up of representatives of all groups operating within a district including the four main ones (Neighbourhood Recreational Activities programme, Family affairs, Disabled Support Group and Senior citizens) sport, culture, and emergency brigade.

586. Table 32 shows the composition of district committees. Females form the majority of members on all three structures. The spirit of volunteerism is more developed among women who also build stronger social networks.

Table 32: Composition of district committees, by sex

<i>District Committees</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
Members of District Teams	143	252	395
Members of the District Social Committee	74	201	275
Members of the District Committee Councils	130	245	375
Total	347	698	1045

Source: IOC study

Activities for elderly women

587. Senior citizens clubs in all districts are open to all individuals of 55 years of age and above. The clubs propose a variety of educational, cultural and leisure activities for active and healthy lifestyles. Some of the activities featuring on district action plans are hikes, visits to cultural sites, health talks, carols, picnics, exchange visits with other districts and seminars. Some of the more enterprising district clubs have organized overseas visits to neighbouring islands such as Mauritius and Reunion for their members.

588. The Association of Senior Citizens, chaired by a woman, was set up to represent, defend and protect senior citizens clubs and its members, to work in close collaboration with other agencies for the wellbeing of senior citizens, and to affiliate with local regional and international organizations pursuing similar objectives. Important activities on the calendar are the organization of an annual residential seminar and activities to mark the international Day of senior citizens. A number of important recommendations to improve the life of the elderly emanate from the seminars. Senior citizens also participate in district intergenerational activities to promote moral values and transmit cultural values to the younger generation.

589. Women make up the majority of members. In 2009, there were 1721 female members registered in senior citizens clubs as opposed to only 162 men.

Incorporation of gender perspective in national gender relief strategies and national policies aimed at combating the negative impact of climate change

590. Seychelles has historically been safe from many natural disasters being non-volcanic and outside the cyclone zone in the Indian Ocean. Natural disasters have been primarily weather related and include storms, high winds, droughts and landslides. Climate change however is expected to increase Seychelles vulnerability to such disasters (Payet). Some of the vulnerability characteristics are concentration of development on narrow coastal zones, non-resilient populations and fragile ecosystems.

591. The impact of climate change on coastal livelihoods and tourism as a result of sea level rise, storm and tidal surges, extreme sea-surface temperatures, and coastal flooding will have serious consequences for livelihoods in the Seychelles. According to Agricole (2009) there are indications that climate change is already occurring in Seychelles with detectable impacts in sectors such as fisheries, agriculture, health, water, and changes in ecosystem functions (biodiversity). Future climate change is projected to negatively affect land and water resources—and thus agriculture—thereby increasing food insecurity and water scarcity.

592. Climate Change became a topical issue in Seychelles following the signature of the United Nations Framework on Climate Change (UNFCCC) in June 1992. One of the first

steps taken by Government was the setting up of the Seychelles National Climate Change Committee (NCCC) in August 1992. The Committee's role was to provide overall coordination for the development and implementation of the national climate programme. Members of the committee included representatives from most government departments, the private sector and non-governmental organizations. In 2009, the Committee comprised of 22 members (7 women and 15 men). The NCCC was responsible for the preparation of the Seychelles first national communication to the UNFCCC and is currently preparing for its second national communication.

593. In 2007, the Environment Department was restructured to create a Climate and Environmental Services Division (CESD). This division incorporates the National Meteorological Services (NMS), the Environment Engineering Section (EES) and the Programme Management Section (PMS). It will oversee the implementation of the new Climate Change Strategy.

594. Seychelles also established a National Risk and Disaster Management Secretariat (NRDMS) in October 2004 based on the recommendations of UNEP. This followed the devastating consequences of a large storm that hit the island of Praslin in 2002. The aim was to improve Seychelles disaster preparedness and response procedures. In 2006 the Secretariat became the Department for Risk and Disaster Management (DRDM), a department under the President's office with the following mandate (a) coordinate response to major disasters in Seychelles, (b) review and finalise the National Disaster Preparedness Plan, (c) promote the development of an emergency and awareness culture in Seychelles, and (d) ensure coordination, cooperation, consistency and synergy between prevention, planning and preparedness activities.

595. Over the last few years, DRDM has conducted a number of workshops to help communities identify risks and develop an emergency evacuation plan. Every district has an evacuation plan and a volunteer emergency brigade whose members provide assistance in the case of small emergencies or disaster. It has also carried out a number of successful simulation exercises. The DRDM has done some good groundwork to promote disaster preparedness over the last five years but has suffered from funding constraints.

596. There are also non-governmental organizations, namely Sustainability for Seychelles (S4S) and the Sea Level Rise Foundation (SLRF) which are active in the area of climate change. S4S is a NGO, registered in December 2007, which seeks to promote sustainable living in Seychelles in collaboration with citizens, the government, other NGOs and the private sector (a list of its current activities is included in the fact sheet in the appendix 11). SLRF was set up by the President of Seychelles by an act of law. Its aim is to provide a mechanism for leveraging global attention on the impacts of sea level rise on small island states and other low-lying area (www.sealevel-rise.org).

597. The Red Cross Society of Seychelles, which is represented on a number of national committees, has also increased its disaster preparedness infrastructure and network to cope with natural disasters. It has conducted training in psychosocial support and produced print and media materials for awareness-raising.

Role of women in disaster prevention and management

598. Women in Seychelles play important roles in disaster prevention and management. They hold key positions on national committees and NGOs such as the Red Cross Society and Sustainability for Seychelles that are at the forefront in relief and educational activities. The Red Cross Society has 78 females and 95 males on its list of volunteers. Women also make up the majority of volunteers at district levels. Two women hold Director level posts in the Climate and Environmental Services Division.

599. A large majority (80 per cent) of the cleaners and workers in the environment division are women. Among the fifty-nine Environmental/Public Health Officers employed by the Ministry of Health and Social Development, thirty-seven (62 per cent) of them are women.

Gender dimensions of climate change

600. There are important gender dimensions in all aspects of climate change. Men and women experience and respond to climate change effects differently because of their societal roles and responsibilities. In the Seychelles context, women bear a large burden of the responsibility for caring, looking after children, cooking and cleaning. Consequently in times of epidemics and natural disasters women bear a larger burden of the share of adaptation.

601. It is therefore important to identify gender sensitive strategies for responding to the environmental and humanitarian crises caused by climate change. Women are also important change agents and have a strong body of knowledge and expertise that can be used in climate change mitigation disaster reduction and adaptation strategies.

602. Four major climate change/disaster relief documents were examined for gender sensitivity.

(a) Seychelles National Climate Change Strategy published in November 2009 by the Seychelles National Climate Change Committee;

(b) Climate Change and Disaster Risk Reduction: A Background Document for the Red Cross Society of Seychelles by Rolph Payet;

(c) Food Security Strategy 2008-2011 published by the Agriculture Department; and

(d) Environment Management Plan of Seychelles 2000-2010; Managing for Sustainability published by the Ministry of Environment and Transport in 2000.

603. In all four documents, gender specific impacts of climate change in the areas of energy, water, food security, and disaster management are absent or not sufficiently analysed. There are no sex disaggregated data to guide the development of targeted responses. Vulnerable groups are not clearly identified or their vulnerabilities analysed. The role of women as change agents is not recognized or targeted.

604. The Seychelles National Climate Change Strategy outlines Seychelles' response towards adaptation and developing resilience to climate change and its effects. Five strategic options are proposed. They are: (1) to advance understanding of climate change, its impacts and appropriate responses; (2) to put in place measures to adapt, build resilience and minimize vulnerability to the impacts of climate change; (3) to achieve sustainable energy security through reduction of greenhouse gas emissions; (4) to mainstream climate change considerations into national policies, strategies and plans; (5) to build capacity and social empowerment at all levels to adequately respond to climate change.

605. One of the activities identified under capacity building objective (5) is to 'Identify the main gender issues in connection with climate change and implement capacity building programmes to address any specific gender-biased (sic) needs.' This activity programmed to take place over two years, is accorded moderate priority and is to be led by NGOs. There is no other reference to gender in the document.

606. Climate Change and Disaster Risk Reduction: A Background Document for the Red Cross Society of Seychelles by Dr. Rolph Payet. This is a very informative document on climate change and the vulnerabilities faced by Seychelles which seeks to reposition the Red Cross's role in disaster management in Seychelles. The document makes one reference

to women's vulnerability in the face of viral epidemics such as the Chikungunya fever which hit the Seychelles during 2005 to 2006 affecting 8, 818 people (20 per cent of the working population) and affecting the tourism industry. Women between the ages of 15 and 54 were most affected. There are no other analyses or reference to gender. The roles and needs of women as change agents and victims/survivors are not further elaborated upon.

607. One of the difficulties mentioned by the author of the two documents is the lack of scientific research on women's role in climate change in Seychelles and the absence of a strong advocacy base for gender during the process of writing the strategy.

608. The National Food Security Strategy (2008-2011) does not acknowledge women's crucial role in food security and ensuring household production, distribution and nutrition security. The document is gender blind and does not offer any special options for any vulnerable groups including women.

609. Sustainable development in Seychelles is guided by the Environmental Management Plan for Seychelles (EMPS) 2000-2010. The plan's objective is to promote, coordinate, and integrate sustainable development programmes that cut across all sectors of society in Seychelles. The EMPS is divided into ten thematic areas, one of which is entitled Society, Population and Health (including gender). One goal stated in this area is maximizing gender efforts to protect and maintain the environment.

610. The specific objectives for this goal are to:

- Financially assist men and women in setting up recycling projects;
- Reduce the use of firewood as household fuel; and
- Increase the number of Professional women in environmental fields.

611. An assessment of the EMPS shows that not all the targets have been fully achieved. No activities were undertaken to increase the number of women taking up professional positions in the environmental sector. The cross cutting themes in this document includes:

- Education, awareness and advocacy;
- Partnerships, public consultations and civil society participation;
- Training and capacity building;
- Management;
- Science, research and technology;
- Monitoring and assessment; and
- Vulnerability and global climate change.

612. There is no mention of gender or gender mainstreaming as a cross cutting issue. The audit section states that the 'Roles and behaviours of women vis a vis the environment (if any different from those of men) are poorly known unlike the situation in other developing countries'.

613. No steps or studies have been proposed in the plan to remedy this situation.

Women and agriculture

Overview of the agricultural sector

614. The contribution of agriculture, including forestry and fishing, to the country's Gross Domestic Product (GDP) is quite small. In 2007, it stood at 2.3 per cent compared to tourism at 21 per cent. Although not a priority for Seychelles economy, local production of

fruits, vegetables, meat and eggs continue to contribute significantly to local consumption and inevitably, save foreign exchange. Seychelles total imports in 2006 was SCR 4180.5 million (Euro 324 million) of which SCR 908.2 million (Euro 70 million) was food and live animals. This figure represents 22 per cent of total imports and similar trends are reflected in 2007 and 2008.

615. From 2007 to June 2008, it is estimated that 4,935 tons of fruits and vegetables were locally produced. This compares favourably with the 5,674 tons of crops imported in 2006. In 2008, Seychelles produced about 50 per cent of the total pork requirements for the country, with 554 tons locally produced and 566 tons imported. Again in 2008, 1,373 tons of chicken was produced locally and 1,057 tons imported. Seychelles produces very little beef and in 2008 imported 629 tons and produced a mere 7 tons locally. All eggs for local consumption were produced locally. This amounted to 23.7 million eggs in 2008.

616. Prior to the opening of the international airport in 1971, the Seychelles economy depended mainly on agriculture, relying heavily on the production and export of copra and cinnamon in a plantation type system. Today, there are no plantations left nor is there agricultural subsistence. Households purchase over 90 per cent of their consumption needs.

617. Agricultural land has been decreasing rapidly in the past decade due to development of tourism, housing and other socio-economic sectors. It is estimated that about 6000 hectares remain for agricultural development of which only 600 is actually being utilized. Very little private land is under agricultural production and the state land leased to farmers is plagued by a number of constraints. An informal survey carried out in May 2008 showed that of a total of 277 hectares of state agricultural land allocated to 333 farmers, only 120 hectares was under cultivation. A total of 142 farmers were utilizing less than 50 per cent of their land. Unfortunately, these statistics were not sex disaggregated and thus difficult to determine the implications to women if any at all.

618. The Agricultural Sector is structured around an average of 500 commercial farmers who produce vegetables, fruit and livestock for the local and tourist population and another 6,000 households that are engaged in farming whereby, they either grow for their own consumption, or sell surplus to supplement household income. The census data on household farming classifies the information by sex of head of household. It is not easy to determine the roles of men and women and their contributions to household farming and food security (see tables in appendix 12).

619. Agro-processing is yet underdeveloped and a few small cottage industry type businesses produce jams, pickles, condiments with local fruit for sale in fairs, exhibitions and other such events. Very few operators sell their goods through shops or supermarkets. The largest agro-processing unit is owned and operated by a private company and imports raw material to produce tomato sauce, jams, reconstituted milk, and yoghurt and fruit juices.

620. The Seychelles Agricultural Agency through its three Divisions, Crop and Livestock Development Support, Crop and Animal Health Services and Agricultural Lands and Project Management are responsible for directing, structuring, regulating and supporting the agricultural sector in Seychelles. The role of the Natural Resources Department is one of policy review and formulation.

621. Seychelles Agricultural Agency does not routinely keep data that is sex disaggregated. The staff records are general, the records of clients using the services of the agency e.g. veterinary services, agricultural input, supplies, purchases, rental of stalls at the market, farmer registration for access to the Agriculture and Fisheries incentives act, or lease of Agricultural state land are not disaggregated by sex. The contributions of women to agriculture are therefore not well documented or analysed.

622. About 8 per cent of the total labour force in the country is employed in agriculture and its related fields, including forestry and fishing. Agriculture is a male dominated sector and most of the state land allocated to agricultural production is leased to male entrepreneurs. A small exercise conducted for the purposes of the CEDAW report revealed that out of the 374 farmers leasing state agricultural land, only 59 (15.8 per cent) were women.

623. There is one registered Farmer's Association in Seychelles with a membership of approximately 80 farmers of which 30 per cent are women and the majority of whom are livestock farmers. One of the largest producers of chickens is a female farmer.

624. The Agriculture and Fisheries Incentives Act provides for the grant of certain incentives to persons engaged in agriculture, fisheries and related activities. Incentives include fuel concessions for fishermen, trades tax exemptions, employment of foreign labour permission, and enhanced social security benefits. There is no differentiation of the different groupings of persons engaged in agriculture. There are only 19 females as opposed to 114 males registered under the AFIA. The majority of individuals who benefit under the Agriculture and Fisheries Incentive Act are therefore males.

Review of the main policy documents

625. The policy documents that are of greater importance to the agricultural sector are:

Seychelles Strategy 2017;

Agricultural Development strategy 2007-2011;

Environmental Management Plan of Seychelles EMPS 2000-2010; and

National Food Security Strategy 2008-2011.

626. The Seychelles Strategy 2017 does not include any specific information related to gender.

627. The Agricultural Development Strategy (2007-2011) is the main agricultural policy document, its Core Strategies emphasize the major issues in the sector as, (a) the need to address the unprecedented loss of agricultural land to other sectors of the economy such as tourism and social housing; (b) the effects of Climate Change through extreme weather events since 1997 e.g. the loss of SCR 1.5 million (Euro 119427) to crops and infrastructure as witnessed by the tsunami of December 2004; (c) The recent invasion of alien pest species, of which the Melon Fruit Fly has led to a loss of SCR 12 – 15 million (US \$ 2.18 – 2.72 million) per annum; (d) the general shortage of skilled and qualified human resource in the sector to provide institutional and technical support; (e) the poor state of national agricultural infrastructure such as the abattoir, feed mill, hatchery, soil diagnostic laboratory; (f) a limited National Plant Protection facility and corresponding laboratory services. The document makes no mention of programmes or incentives specifically geared towards women.

628. The Environmental Management Plan of Seychelles (EMPS) reviewed above has not implemented any activities related to women.

629. The National Food Security Strategy (2008-2011) does not make mention of any sex in particular and does not offer any special options for any vulnerable groups including women.

Limitations and constraints to mainstreaming gender in the agricultural sector

630. The lack of sex disaggregated data in the agricultural sector does not allow for a proper assessment of the role of women in agriculture. An agriculture census is planned for

2011 in collaboration with the NSB. It will be important to integrate gender indicators in the census.

631. The greatest limitation to mainstreaming gender in the agriculture sector appears to be a genuine lack of awareness of gender and mainstreaming skills among decision makers. Women have an important role to play in food security and healthy living and it is important that funds are targeted to allow for their full contributions.

Article 15: Equality before the law and civil matters

632. Women in Seychelles have full equality before the law in civil matters and a separate legal personality guaranteed by the Constitution. There are no restrictions to litigation with regards to women. They have equal rights in access to legal advice, in legal capacity and equal testimonial and evidentiary status in the courtroom.

633. Article 27(1) of the Constitution: Right to equal protection of the law states

“Every person has a right to equal protection of the law including the enjoyment of rights set out in this Charter without discrimination on any ground except as in necessary in a democratic state.”

Property

634. The right to property is enshrined in the following articles of the Constitution and subsidiary laws.

- Article 26(1): Right to conclude contracts and to administer property

(1) “Every person has a right to property and for the purpose of this article this right includes the right to acquire, own, peacefully enjoy and dispose of property either individually or in association with others.”

- S 4(1) Status of Married Women Act, 1948: Married woman capable of holding property

“A married woman shall, in accordance with the provisions of the Act, be capable of acquiring, holding and disposing by will or otherwise of any movable or immovable property, in the same manner as if she were a feme sole, without the intervention of any trustee or the consent of her husband.”

635. S 5 Status of Married Women Act Provides for the property of a married woman before or after the Act to be held by her as *feme sole*. The Civil Code however reveals some inconsistencies in relation to the administration of children’s property and consent for marriage as follows:

- Article 389 of the Civil Code: Guardianship of children

“The father during marriage shall be the administrator of the property of his minor unemancipated children with the exception of such property as may have been given or bequeathed under the express condition that it be administered by a 3rd party....”

“If the father cannot act or if he is deprived of his administration, the mother shall have such administration with all the powers that the father previously enjoyed.”

636. This provision discriminates against the mother. She gains the right to administer her minor unemancipated children’s’ property only where the father is legally unable to. Similarly, it is the father’s consent that is necessary in the first place for the marriage of a legitimate child under 18 and the father again has the final decision in the case of an illegitimate child when there is disagreement between the parents.

- S 46(1) Civil Status Act: marriage of legitimate minor, what consent necessary

“A legitimate child who is under the age of 18 years cannot contract marriage without the consent of his father. If the father is dead or incapable of manifesting his will or is absent from Seychelles or is on one of the outlying islands, the consent of the mother shall be required and such consent shall be sufficient.”

- Article 47(1): Marriage of illegitimate minor

“A natural child who is under the age of 18 years cannot contract marriage without the consent of the parents by whom he has been acknowledged or both parents when he has been acknowledged by both. In the latter case if there is disagreement, the consent of the father will be sufficient.”

Contracts

637. All women including married women have separate legal identities and are able to enter into agreements and conclude contracts. Article 1123 of the Civil Code states:

“Every one may enter into a contract unless he is subject to some legal incapacity⁶⁰”.

- S 4(2) Status of Married Women Act, 1948: Married woman to be capable of contracting as if unmarried.

(2) *“A married woman shall be capable of entering into, and rendering herself and being rendered liable in respect of and to the extent of her separate property on any tort, contract, debt or obligation, and of suing and being sued either in contract or tort or otherwise, in all respects as if she were a feme sole ...”*

- S 27 Status of Married Women Act, 1948: Abolition of restrictions on anticipation and alienation

“Any instrument executed before, on or after the 20th day of April 1948 shall, in so far as it purports to attach to the enjoyment of property whatsoever by a woman any restrictions upon anticipation⁶¹ or alienation⁶² which could not have been attached to the enjoyment of that property by a man, is void.”

638. Women have full access to the courts and benefit from the same legal protections.

- Article 19(1) of the Constitution: Right to a fair and public hearing

“Every person charged with an offence has the right, unless the charge is withdrawn, to a fair hearing within a reasonable time by an independent and impartial court established by law.”

- Article 19(2)

“Every person who is charged with an offence-

⁶⁰ Article 1124 of the Civil Code; Minor who are not emancipated & interdicted persons in the sense of articles 489 (a person of full age who is habitually feeble minded, insane or a lunatic even if he has lucid intervals) and 513 (spend thrifts may be forbidden to engage in litigation, to compromise legal rights, to borrow, to receive any capital and to give a valid discharge therefore or to transfer or mortgage their property without the assistance of a curator appointed by the Court) of this Code.

⁶¹ Means distribution or receipts of trust income before it is due: Black's Law Dictionary (2009) Ninth Edition.

⁶² Means conveyance or transfer of property to another: Black's Law Dictionary (2009) Ninth Edition

(d) *has a right to be defended before the court in person, or, at the person's own expense by a legal practitioner of the person's own choice, or, where the law so provides, by a legal practitioner provided at public expense*".

- Article 18 (13)

"A female offender or suspect who is kept in lawful custody or detention shall be kept separately from any male offender or suspect."

639. Access to legal aid is important for women to be able to pursue their legal rights. Section 6.1 of The Legal Aid Act provides for aid to be made available to all persons who require this assistance.

"Subject to this act, legal aid shall be available to any person charged with an offence and shall relate to proceedings in any court in any exercise of original or appellate jurisdiction in criminal matters in respect of that offence."

Section 4:

"Legal aid shall be granted to any person whose disposable income does not exceed the level of subsistence declared under The Social Security Act⁶³."

Freedom of movement

640. The Constitution guarantees freedom of movement to all persons and article 3 of the Civil Code allows married women to choose her residence freely.

- Article 25 of the Constitution: Freedom of movement

(1) *"Every person lawfully present in Seychelles has a right of freedom of movement and for the purpose of this article this right includes the right to move freely within Seychelles, the right to reside in any part of Seychelles, the right to leave Seychelles and the right not to be expelled from Seychelles."*

(2) *Every person who is a citizen of Seychelles has a right to enter Seychelles, and subject to clause 3(d)⁶⁴,*

(3) *Not be expelled from Seychelles."*

- Article 3(5) of the Civil Code

"A married woman shall have her own domicile for all purposes."

Women and prisons

641. There is only one prison for all offenders in Seychelles situated at Montagne Posée. The Prisons Act 1991 regulates the operation and management of prisons.

642. According to statistics from the Montage Pose Prison, there were 12 female inmates (3 remand and 9 convicts) as compared to 324 male inmates (80 remands and 246 convicts) as at December 2009. The number of female inmates has fluctuated between 6 to 15 since 2001. The majority of female prisoners have been charged with 'trafficking and possession of controlled drugs'.

643. Female prisoners are housed separately from male prisoners in a separate building as required in the Prisons Act (1991) S 21. In addition, remanded female inmates are housed separately from convicted female inmates in a separate section of the female wing. The

⁶³ "Level of subsistence" under the Social Security Act means the level determined by the Minister (under Regulations). Any person above that level will not be eligible for legal aid. (S 23 of the Act.).

⁶⁴ For extradition of persons from Seychelles.

female prison has a capacity of thirty inmates. There are fifteen cells and each cell can house two inmates. The pre-trial wing has four cells. The convict wing has eleven cells. There were 10 female officers working at the prison in 2009.

644. All female prisoners have the same rights as male prisoners. They are provided with balanced diets, uniforms, and the opportunity to participate in rehabilitation programs (group sessions, teaching and life skills). Female inmates are allowed to grow their hair and are provided with special toiletries for women e.g. sanitary towel. Section 19(2) of the Prison Act (1991) allows for the child of a female prisoner to be detained with her if the child is being breast fed and is under eighteen months. Both convicted and remanded female inmates are allowed visits from family members, relatives and friends. Remanded inmates are allowed visits every week and convicted inmates once every four weeks.

645. There are special provisions for search on female detainees as per Prison Regulations Paragraph 36:

- (a) Every Prisoner shall be searched on admission and subsequently if the Superintendent or officer-in-charge thinks necessary, and all prohibited articles shall be taken from him;
- (b) No prisoner shall be strip searched in the sight of another prisoner;
- (c) No prisoner shall be searched otherwise than by an officer of the same sex.

Measures to improve women's access to legal support

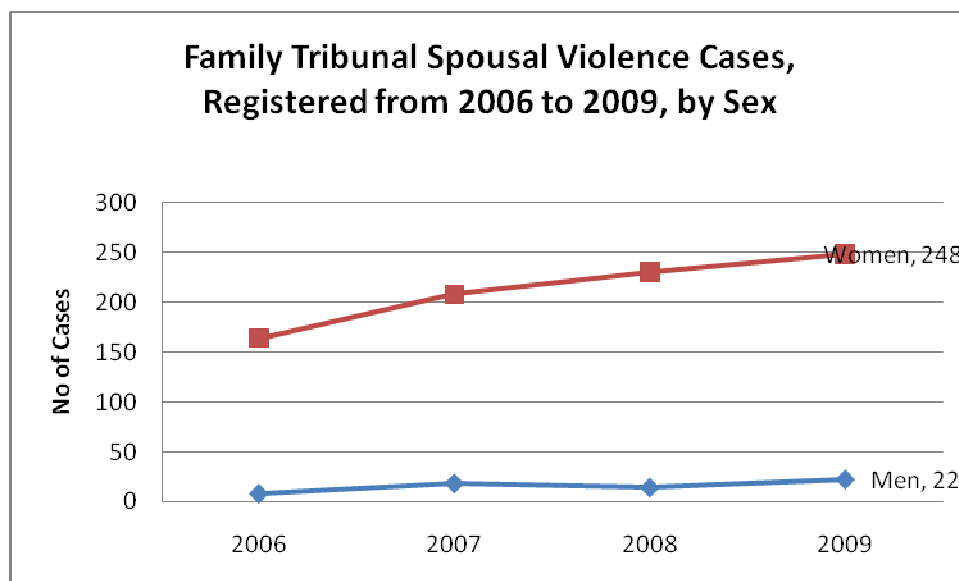
Good practice in access to legal help

646. Long delays in the disposal of cases in court are a major weakness of the court system as recognized by the Chief Justice at the Opening of the Supreme Court of Seychelles on 15 September 2009. As at 31 August, there were 1,272 civil cases pending before the Supreme Court stretching from 1998, 222 criminal cases from 2000 and 154 pending divorce cases. This did not meet constitutional standards of a trial within reasonable time. In cases of domestic violence such delays can be traumatic and detrimental to women. Increasing efficiency in case management is one of the priorities of the ongoing judicial reform.

The Family Tribunal

647. The Family Tribunal described under articles 2 and 3 was created under the 1998 Amendment of the Children Act as an alternative structure to the traditional court system entrusted with quasi-judicial functions. In the beginning the Tribunal dealt with issues related to custody, maintenance, access and care, and control of minors. These responsibilities were previously undertaken by the Children's Board. In 2000, following the Enactment of the Family Violence (Protection of Victims) Act, it was given the mandate to deal with all issues related to Family Violence. The setting up of the Tribunal has considerably speeded up decisions in family matters and reduced associated traumas. The Family Tribunal provides free services.

648. Figures provided by the Family Tribunal show the enormous demand for these services. For the year 2009 alone, 270 were cases of spousal violence were registered, of which 248 were filed by women. There were 80 cases of violence between married couples.

Figure 11: Family tribunal spousal violence cases, registered from 2006 to 2009, by sex

Source: Family Tribunal Secretariat

649. The Family Tribunal carried out the following interventions in 2009. Out of 474 registered cases of violence (67 males and 407 females), the Family Tribunal made 256 protection orders, 86 eviction orders (81 males 5 females), 27 prison sentences for breach of protection order (25 males and 2 females) and 9 referrals to Mont Royale Rehabilitation Centre (7 males and 2 Females).

650. Since its establishment in May 2000 until December 2009, the Family Tribunal has registered a total of 2,716 cases of family violence. 867 protection orders were made, 397 were referred to probation services, 58 to Mont Royale (53 males and 5 females), 246 eviction orders (233 against males and 13 against females) and 57 prison sentences (53 males and 4 females).

Factors and difficulties

651. De facto enjoyment of legal rights is difficult to measure accurately because court records are not computerized and not sex disaggregated. It has not been possible to gather information on the number of women as compared to men who qualify for legal aid. Neither has it been possible to find out the number and type of cases filed by women. Major reforms of the judiciary are currently underway and work on a computerized management system with the Department of Information and Technology has started.

652. There are insufficient numbers of women in the police, judiciary and other law enforcing agencies (art. 7). More women are needed to provide a different perspective and interpretation of the laws and their enforcement. Gender perspectives need to be integrated at all levels of the investigative prosecution, witness prosecution, and judiciary. Both the police and the judiciary are in the process of major reforms to modernize and professionalize service delivery. It is hoped that the recent introduction of a Young Leaders Programme (see page 55 above) in the police and armed force will encourage capable women to take up leadership positions within these ranks.

653. The present Constitution is in conformity with the Convention on the Elimination of All Forms of Discrimination against women. Supporting legislation including components of the Civil Code has not been revised in a timely manner to reflect the spirit of the

Constitution. These efforts are ongoing in spite of staffing constraints in the Attorney General's office.

654. There are no NGOs which focus specifically on legal education and legal support for women. Women are not always fully knowledgeable of their rights and their readiness to challenge decisions in courts may be constrained by ignorance of the laws or economic considerations.

Article 16 - Equality in marriage and family relations

655. The Seychelles Constitution, the National Population Policy for Sustainable Development, and the National Plan of Action for Social Development all recognize the family as the basic unit of society and one that needs protection and strengthening.

Article 32 of the Constitution: Protection of Families

"The State recognises that the family is the natural and fundamental element of society and the right of everyone to form a family and undertakes to promote the legal, economic and social protection of the family."

656. Same sex marriages and marriage of persons within certain family degrees are illegal.

657. Family arrangements are complex and show little change from 1994 to 2002. In 2002, the marital status for the female population aged 15 and above shows that 41.0 per cent are single, 27 per cent are married, 21.2 per cent co-habiting, and 5.5 per cent widowed and 3.7 per cent divorced or separated. All the different types of family arrangements are given equal protection under the law.

Table 33: Percentage of population aged 15+ in 1994 & 2002, by marital status and sex

Marital Status	1994		2002		1994	2002	% Change
	Male %	Female %	Male %	Female %	Both Sexes %		
Single	45.2	40.3	44.3	41.0	42.8	42.6	-0.2
Married	28.7	29.3	26.5	27.0	29.0	26.8	-2.2
Cohabiting	20.9	20.9	21.3	21.2	20.9	21.3	+0.4
Separated	1.0	1.5	1.3	1.8	1.2	1.6	+0.4
Divorced	1.2	1.7	1.2	1.9	1.4	1.6	+0.2
Widowed	1.0	5.2	1.1	5.5	3.1	3.3	+0.2
Not reported	2.0	1.1	4.4	1.5	1.6	2.9	+1.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	

Source: NSB, National Population and Housing Census 2002 *Figures for both sexes have been adjusted for errors reported in 1994

658. Articles 2 and 15 describe the legislation and support services that have been put in place to provide support to vulnerable and fragile families. According to the NPASD, some of the major threats to family cohesion arising from the rapid pace of change are alcohol and substance abuse, infidelity, teenage pregnancies, single woman headed households, prevalence of HIV/AIDS and patriarchal arrangements that deny women equal rights in the home and perpetuate domestic violence.

Legislation regarding marriage

659. Legislation regulating marriage is contained in the Civil Code, the Civil Status Act, and the Status of Married Women's Act. The same right to freely choose a spouse and to enter into marriage is stated in S 41, Civil Status Act in the following terms; *"There is no marriage when there is no consent."*

660. Men and women have the same rights and responsibilities during marriage and its dissolution. A marriage is dissolved according to article 227 of the Civil Code by the "death of one of the spouses" or by a "decree of divorce legally pronounced".

661. Responsibilities in a marriage apply to both men and women. Article 212 of the Civil Code states:

"The Spouses owe to each other faithfulness, support, assistance and care."

662. Article 214 of the Civil Code states that the husband is primarily responsible for the family charges:

"When there is no provision in a marriage settlement concerning the proportion in which each spouse is to contribute to the family charges, each shall contribute according to his means."

The husband is primarily responsible for the family charges; he must supply his wife with all her necessities, according to his means and standing."

663. S 23 Status of Married Women Act: Married woman liable for the maintenance of her husband; makes the women equally liable for the maintenance of the husband in certain circumstances:

"Without prejudice to Art 212 of the Civil Code of Seychelles, when a married woman having sufficient separate property neglects or refuses to maintain her husband through illness or otherwise is unable to maintain himself, any court having jurisdiction may, upon application of the husband, make and enforce such order against her for the maintenance of her husband out of such separate property as by any enactment it may now make and enforce against a husband for the maintenance of his wife."

664. Bigamy is not permitted. According to S 42 Civil Status Act: Previous Marriage a ban:

"No second marriage can be contracted before dissolution of the first marriage."

665. Divorce provisions apply to both men and women equally. S 29 Status of Married Women Act: Remarriage of divorced women and widows states:

"A woman may remarry immediately after the dissolution of a previous marriage."

666. And S 60 Civil Status Act: Husband or wife may oppose marriage:

"The husband or wife of one of the parties intending to contract marriage may enter an opposition to the celebration of such marriage."

Inheritance

667. Inheritance rules are contained in article 766 of the Civil Code: Rights of surviving spouse:

"When the deceased spouse leaves no descendants, ascendants or, in the collateral line, any heirs within the third degree inclusively of relationship, or any descendants of nephews and nieces, his succession, shall devolve upon the surviving spouse. Provided that in this case article 759, in respect of the rights of the surviving spouse when there are natural children, as provided by that article, shall have application."

Guardianship

668. Both the father and mother are joint guardians of the child and have equal responsibilities for bringing up their children.

Article 203 of the Civil Code: Joint obligation when married

“The spouses jointly, by mere fact of the marriage, undertake the obligation to maintain and bring up their children.”

669. Article 371 of the Civil Code states that minor children owe respect to both parents:

“A child during his minority owes honour and respect to his father and mother.”

670. Article 372 states that:

1. *“He shall remain under their authority until his majority⁶⁵ or emancipation.*

2. *The authority of the parents shall be exercised in the interest of the child.”*

671. Article 374 states that:

“A child shall not leave the parental home without permission from his parents until he reaches the age of 18.”

672. As noted in article 15 above, mothers and fathers do not have the same rights in relation to guardianship of children (art 389 Civil Code); regarding consent for marriage of legitimate minors, S 46(1) Civil Status Act; and for marriage of illegitimate minor, consent necessary S47(1) Civil Status Act).

673. According to the Children Act Part V: Adoption, an adoption order may be made by a married couple or by one person regardless of sex.⁶⁶

674. Gender disparities exist in the minimum age for marriage. Article S 40 of the Civil Status Act states:

“A male person under the age of 18 years or a female under the age of 15 years cannot contract marriage. But the Minister may for grave causes authorise any person under the above age to contract marriage.”

675. All marriages have to be legally registered. S 70 Civil Status Act: Time and place of celebration states that:

(1) *“No marriage celebrated in Seychelles, except a marriage in articulo mortis⁶⁷, shall be recognised as a legal marriage unless it is celebrated by an officer of the civil status.*

(2) *The marriage may be celebrated in any district in which publication has been made as provided in S 52.*

(4) *The marriage shall be celebrated in the civil status office of such district, or, if the parties so request, it may be celebrated in any private house within such district.”*

Domestic violence

676. Seychelles is possibly one of the best examples in the African region where women have met almost all their practical gender needs through the provision of equal rights in the public sphere, but continue to struggle to meet their strategic gender needs rooted in

⁶⁵ Art 388 Civil Code: A minor is a person of either sex who has not yet reached the full age of 18.

⁶⁶ SS 37 & 38 Children Act

⁶⁷ Means at the point of death: Black’s Law Dictionary (2009) Ninth Edition

patriarchal systems and unequal gender power relations. Violence against women is the best example of this fact. Gender Based Violence in its various forms has been a growing concern for Government over the review years and statistics indicate a growth in the number of cases reported to the authorities:

- Police cases of ‘domestic violence’ doubled between the years 2000-2005.
- Family Tribunal ‘spousal violence’ cases increased by 55 per cent between the years 2006-2009, with victims remaining overwhelmingly female (92 per cent in 2009).

677. A national survey conducted by the Gender Secretariat in 2006 captured many more cases never before reported to the authorities. Findings estimated that as many as 1/4 women and 2/9 men have experienced moderate physical violence by an intimate partner at some point in their life. Whilst the findings highlighted a surprising number of male victims of domestic violence, analysis showed that the consequences of violence were more serious for female victims. Risk indicators of domestic violence included the presence of children, infidelity, violent past/childhood, full-time employment, alcohol consumption, unmarried co-habitation and detrimental personal beliefs.

678. The study confirmed that the vast majority of victims remain silent about their abuses, with 62 per cent women and 74 per cent men admitting that they never sought any form of outside help, including even talking to family and friends. The main reasons for remaining silent were identified as (in order of significance): love for their partner, embarrassment, low expected outcomes of seeking help, loneliness, lack of support from friends, family and society. Interestingly economic dependence on the abusive partner was identified by the smallest number of victims, despite being commonly held amongst service providers as one of the major reasons victims become trapped in violent relationships.

679. When analysing the outcome of help seeking behaviour, 28 per cent of men and 15 per cent women reported that they received no assistance despite their efforts to report their experiences. On a more positive note, at least half of the survivors of intimate partner violence reported that they left their abusive partner.

Progress

680. The Government of Seychelles has made several milestones in effectively addressing GBV, including the establishment of the quasi-judiciary Family Tribunal in 1998 and the enactment of the Family Violence (Protection of Victims) Act in 2000. The Tribunal administers the Act, offering protection to survivors of actual or threatened ‘family violence’ through various forms of restraining orders (orders to keep the peace, eviction orders, and orders for counselling) with minimum delay.

681. The Ministry of Health and Social Development also launched the National Strategy on Domestic Violence 2008-2012 (see objectives under article 3). Various provisions already implemented in line with the National Strategy include a situational analysis of service providers; stakeholder capacity building in communication planning; public education campaigns; integration of GBV into draft National Sexual and Reproductive Health Policy, sourcing of technical and financial assistance, on-going efforts to draft standard procedures by social services and ongoing efforts to improve data management and production of GBV statistics within the Ministry of Health and Social Development.

682. More recently the Ministry of Health and Social Development developed a Costed National Action Plan for Gender Based Violence 2010-2011. The results based plan of action packaged national priorities under six themes, in line with the National Strategy on Domestic Violence:

- (a) Awareness Raising and Prevention of GBV;
- (b) Standardized Procedures, Guidelines and Training Materials;

- (c) Capacity Strengthening of Service Providers;
- (d) Rehabilitation;
- (e) Legislation, Advocacy and Lobbying; and
- (f) Coordination, Research, Monitoring and Evaluation.

Priority areas

683. The following is a summarized analysis of existing challenges that have been integrated into the national plan of action:

Awareness- raising and prevention of GBV:

684. Despite high levels of awareness surrounding GBV (90 per cent+), prevalence of GBV is high and incidence continues to grow. Service providers presume this growth to be a combination of both an increase in awareness resulting in increased motivation of survivors to report cases, as well as an increase in levels of violence. GBV associated risks include the rise in levels of substance and alcohol abuse (especially the increased use of heroin and intravenous drugs in recent years), the rise in the cost of living (especially since the introduction of the MERP in 2008) and the disintegration of the family structure.

685. As most cases remain unreported and therefore outside the influence of the authorities, priority was placed on awareness-raising in order to break the silence and challenge the social perception that domestic violence is a private issue. More awareness programmes are also needed on other marginalised forms of violence including emotional/psychological abuse, sexual violence (esp. spousal rape and rape of girls), bullying, economic coercion and sexual harassment.

686. Standardized Procedures, Training Materials and Guidelines: In 2008 the Ministry of Health and Social Development conducted a Situational Analysis on the Institutional Response to Domestic Violence, which is in line with objective 1.4 of the National Strategy on Domestic Violence. The report concluded that despite dealing with issues of domestic violence on a frequent basis directly or indirectly, all service providers lack any formal procedures specifically guiding effective response to these sensitive and complex cases. As a result, the responses of individual professionals lack standardisation. Interventions varied according to personal experience, individual beliefs, commitment and capacity (knowledge, skills and time etc.) The national plan of action proposes to utilize the example of the Working Together manual for child protection in improving the GBV integrated response. Procedures will be institutionalised sustainably through the involvement of the local training institutions, which include the Police Academy, the National Institute for Health and Social Studies (NIHSS) and the National Institute of Education (NIE)

Capacity strengthening of service providers

687. Services available for GBV survivors and perpetrators include Police, Family Tribunal, Children's Services, Probation Services, Health and civil society. The trends on seeking help show that legal support, counselling, and family conflict resolutions, are the commonly sought services by survivors of violence and perpetrators. However, challenges and gaps exist in the service provision system that if strategically addressed, would create a greater impact on the services provided to survivors of violence and the communities. The challenges include standardisation/professionalism, coordination, follow-up system, data management system, monitoring and evaluation. Also it is important to note that survivors, get exposed to secondary victimization, coupled with the delays of cases, change of officials handling the cases resulting in survivors having to re-tell their experiences more than once to different people, loss of documents, insensitivity due to lack of gender sensitization. In the context of increasing levels of violence, there is a need to enable people to build trust in the service provision system in order to improve motivation to report cases

in the first place. Dealing with this would require education and skills upgrading that would enable service providers with the skills and confidence required to effectively deal with GBV. Also important to note is that there is evidence of a significant prevalence of intimate partner rape amongst women in Seychelles (11 per cent). Dealing with rape cases pose challenges that require specialised personnel and well co-ordinated services and systems including legal, therapeutic, police and health to mention a few. Additionally some of the services provided by CSOs are invisible and their participation in the national response to GBV is very limited. If well developed, it could complement the Government efforts.

Rehabilitation

688. Seychelles lacks any provisions for short term security of GBV survivors (shelters). Consultations with stakeholders during the drafting of the national plan of action concluded that although the need for temporary shelter for GBV survivors exist, the provision of shelter would not be the best option for Seychelles for many reasons:

- (a) Disruption to the family unit: Pulling out mothers and children from their homes and placing them in a shelter where they can stay for longer periods could potentially destroy their families and confidence to contribute to the welfare of their families;
- (b) Safety and security: Seychelles is a very small country making it impossible to keep the location of shelters confidential;
- (c) Lack of housing: There is a general shortage of housing in Seychelles;
- (d) High maintenance: Public sector does not have adequate capacity to run shelters.

689. In place of shelters, the national plan of action places emphasis on criminalisation of GBV and introduction of rehabilitation programmes. Internationally rehabilitation programmes for GBV perpetrators and survivors are a challenging and demanding area. Effective behavioural change programmes are a lengthy process, requiring long-term commitment, continued funding, clear mandates, specialised programmes for both perpetrators and survivors, skilled professionals (more trained counsellors and psychologists) and legal provisions (court orders).

690. The national plan of action builds on existing strengths and services already provided. The Probation Services currently provides some rehabilitation services (counselling). However emphasis is placed on the reconciliation of the couple and difficulties arise when compelling adult perpetrators to attend sessions, which are why the current services mainly focus on the female survivors. Other service providers also providing rehabilitation services include the NCC and Mont Royale Centre. Both institutions have qualified counsellors and specialise in certain areas, but lack the capacity and mandate to focus on Gender Based Violence. Abuse of drugs and alcohol is a recognised risk factor of GBV. There is also a documented overlap between child abuse and intimate partner violence, as well as increasing cases of violence committed by child/juvenile perpetrators towards adults (esp. the elderly). The prison system was also identified as a potential entry point for effective rehabilitation of perpetrators. The prison system currently lacks capacity to provide a systematic and comprehensive rehabilitation programme, including GBV treatment.

Legislation, advocacy and lobbying

691. Currently, the law does not recognise domestic violence as a criminal offence. Violence Against Women (VAW) is covered by the Penal Code as assault crimes but like most other countries, the Police are reluctant to intervene in cases of intimate partner violence, referring most cases to the Family Tribunal. However the Family Violence Act is limited to the provision of protection to victims and their families, which is why the

National Strategy on Domestic Violence (2008-2012) puts emphasis on strengthening legislation and legislative structures on GBV. The PoA focuses on a review and harmonization of existing laws on GBV, sensitization of legal and enforcement authorities, public education campaigns, enactment of a specific law on domestic violence and lobbying for the mainstreaming of gender and GBV into national development plans.

Coordination, research, monitoring and evaluation

692. Seychelles lacks coordination and monitoring of GBV related services at the national level, leading to bottle-necks, service gaps and failures, provider conflicts and duplication of efforts. Data management systems within most service providers (except Health Department) are crude or non-existent, reducing the quality, reliability and timeliness of data. Information sharing between service providers is limited, reducing capacity for an integrated response and effective risk management of multi-needs cases. Low capacity to thoroughly analyse trends in data and integrate findings in decision making reduces capacity to measure and evaluate effectiveness of services in achieving expected outcomes. Cost benefit analysis cannot be conducted, reducing advocacy power for sustained commitment towards addressing GBV. Research studies are conducted on an ad-hoc basis and are not necessarily comparable due to the application of differing methodologies by different agents. The PoA places emphasis on the need for a national mechanism for coordination, capacity building in monitoring and evaluation, more systematic research, a Monitoring and Evaluation framework and a GBV national database.

Conclusion

693. The report provides a fair and realistic picture of the status of women in the light of the difficulties mentioned. It provides new evidence to determine future policy and points to key areas where research is still needed. Some of these areas had been identified in reports dating back to 1994 and need to be urgently addressed. More importantly, the report will provide a baseline to chart future progress and act as an advocacy tool for work that still needs to be done in certain areas such as decision making, politics, finances and trade to bring women empowerment at par with that of men.

694. As the de jure analysis reveals, Seychelles laws are largely compliant with the articles of the Convention and provide a very facilitative framework for women. The Constitution of Seychelles which came into force in 1993 and is the supreme law of the country is modern and forward looking. Chapter 3, the Seychellois Charter of Human Rights and Freedoms provides for comprehensive protection of human rights for both men and women.

695. As in many other countries however, it is deeply entrenched cultural stereotypes, harmful perceptions of masculinities and femininities that perpetuate gender inequalities and are the hardest to combat. They can help to explain the continuing scourge of domestic violence which affects many women of all social strata in Seychelles and limits their freedoms. Some of these cultural beliefs have been identified in the report. Government will renew its efforts to challenge these stereotypes and step up its sensitization and advocacy programmes based on increased understanding and research of our unique cultural and social gender dynamics.

696. Government will need to relook at the participation of women in decision making and political structures at the highest level and strategies to encourage political parties to provide a more supportive environment to meet regional and international targets.

697. Women organizations will also need to become more proactive and conduct more research in areas where women are still lagging behind. The massive entry of women into

the labour force has had repercussions on gender dynamics in the home which are still very poorly understood.

698. Most importantly, Seychelles will need to strengthen its statistical capacity to provide accurate and timely sex disaggregated data to monitor gender equality in all domains and ensure that gender is effectively mainstreamed in all policies and programmes at all levels. In order to do this it will continue to need the support of its international partners.
