



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

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**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**
Thirty-ninth session

Summary record of the 579th meeting

Held at the Palais Wilson, Geneva, on Friday, 6 December 2024, at 10 a.m.

Chair: Ms. Diallo

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 73 of the Convention *(continued)*

Second periodic report of Seychelles (continued) (CMW/C/SYC/2;
CMW/C/SYC/QPR/2)

1. **A representative of Seychelles** said that trade unions and non-governmental organizations, including the Association for Rights, Information and Democracy, which was focused on promoting the rights of migrant workers, had participated in the drafting of her country's second periodic report to the Committee (CMW/C/SYC/2). While the Seychelles Human Rights Commission had also provided input, it had declined to attend the meeting at which the report had been approved owing to a perceived conflict of interest.

2. Efforts were ongoing to implement the Labour Market Information System. Further technical assistance from the International Labour Organization (ILO) was needed to ensure that system users at the Ministry of Employment and Social Affairs and elsewhere were fully trained in the collection and analysis of labour market statistics. The "Ease of doing business" platform, which had been launched in 2023, was intended to centralize the recruitment of migrant workers and would provide additional statistics. The quarterly Labour Force Survey was another source of information on migrant workers.

3. Seychelles was on the front line in terms of the effects of climate change, in particular owing to its extensive coastline, where the majority of homes and businesses were located, and the economic importance of the tourism and fishing industries. Higher temperatures were a particular problem for the construction industry, which was dominated by migrant workers. The Ministry of Employment and Social Affairs had launched a safe workplace initiative to ensure better protection for construction workers. The Disaster Risk Management Division was developing the Seychelles Integrated National Emergency Plan with the involvement of a range of national stakeholders. The potential impact that natural disasters or other emergencies might have on migrant workers would be taken into account in the drafting of the Plan. The Seychelles Decent Work Country Programme 2019–2023, which had been extended until 2025, included climate change mitigation and adaptation measures as part of the transition to the green economy, which would likely give rise to a need for larger numbers of migrant workers. As part of its nationally determined contribution under the Paris Agreement, Seychelles had pledged to undertake a range of coastal management and other projects that would benefit everyone, including migrant workers. In 2023, following an explosion close to accommodation housing migrant workers, the Ministry had sent labour inspectors to relocate the workers and ensure their safety.

4. Statistics on migrant workers with disabilities, disaggregated by sex, had been obtained through the population and housing census conducted in 2022. Disability inclusion initiatives were being implemented in the country, particularly in terms of accessibility for wheelchair users. A recent agreement between the Ministry of Family Affairs and the Chief Justice would improve access to justice for vulnerable groups, including migrant workers.

5. **A representative of Seychelles** said that, in 2024, there had been 20,079 valid work permits in Seychelles, 9,971 of them renewals; 254 foreign nationals had been employed as domestic workers and 8,078 as construction workers.

6. In November 2024, the government department responsible for combating trafficking in persons had provided assistance to the Government of Senegal in drafting a concept note for the establishment of a special unit to combat trafficking in persons and smuggling of migrants.

7. **A representative of Seychelles** said that her country had ratified the ILO Domestic Workers Convention, 2011 (No. 189) in 2024. The Employment (Conditions of Employment of Domestic Workers) Regulations stipulated the rest hours to which domestic workers were entitled and set out the conditions for their accommodation. For example, employers could not charge rent for accommodation in their own place of residence. Rooms allocated to domestic workers must be lockable and equipped with basic amenities. Domestic workers were permitted 24 days' leave per year and must be allowed to visit their families. The

Regulations were enforced by the employment authorities, who visited domestic workers' workplaces and accommodation to ensure that they met the relevant standards.

8. Owing to a lack of resources, the Work in Seychelles induction programme was currently targeted only at certain industries, namely construction, farming, fishing and domestic work, in which non-compliance with regulations tended to be more prevalent.

9. Migrant workers were employed at all levels of the fishing industry. Vessels sailing under the flag of Seychelles were covered by the Employment Act. The non-governmental organization Apostolat de la Mer was very active in providing support for fishing industry workers with grievances. The Government had sought the assistance of ILO in conducting an analysis of the gaps in national laws, with a view to ratifying the ILO Work in Fishing Convention, 2007 (No. 188).

10. **A representative of Seychelles** said that the Seychelles Human Rights Commission had not yet been accredited by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions. The Commission and the Ombudsman were preparing the relevant documentation with a view to making progress in that regard.

11. **Mr. Corzo Sosa** (Country Rapporteur) said that he would like to know whether the State party had made progress in its consideration of whether to make the declarations provided for under articles 76 and 77 of the Convention recognizing the Committee's competence to receive inter-State and individual communications, respectively.

12. He would be interested to hear about any action the State party had taken in follow-up to the Committee's recommendation, as contained in paragraph 25 (b) of its concluding observations on the State party's initial report ([CMW/C/SYC/CO/1](#)), that the authorities should ensure that migrant workers enjoyed treatment no less favourable than that which applied to nationals in respect of remuneration, particularly in the fishing, tourism and construction industries.

13. The Committee against Torture, in its concluding observations on the State party's initial report ([CAT/C/SYC/CO/1](#)), had expressed concern about the considerable number of stateless Chagos Islanders who had not been able to acquire Seychelles citizenship despite residing in the State party for a long time, as well as about the apparent ill-treatment of foreign workers and the reported absence of action by immigration officers with regard to the transport into the State party, on private aircraft, of young women who might be victims of trafficking in persons. The Committee on the Rights of the Child, in its concluding observations on the State party's combined fifth and sixth periodic reports ([CRC/C/SYC/CO/5-6](#)), had recommended that the Government should introduce legal safeguards for children in the State party who would otherwise be stateless. He would welcome an update on the progress that had been made in addressing those issues.

14. Lastly, he wished to know which ministry was responsible for conducting labour inspections in the Seychelles International Trade Zone.

15. **Mr. Ünver** (Country Rapporteur) said that the recruitment of officials responsible for the protection of the rights of migrant workers in Seychelles seemed to be problematic, with reportedly only one person in charge of inspections in that area, an issue that appeared to arise from human resource shortages. He wondered whether the State intended to take measures to address shortcomings in that regard. He also wished to know whether the Government had a policy in place to leverage the country's social diversity in building a strong diaspora identity and would be like to learn about measures to promote engagement with the diaspora. Furthermore, it would be interesting to learn about policies in place for the reintegration of returning citizens.

16. **Ms. Dzumhur** said that she would be interested to learn more about the dissemination of the Convention in Seychelles and whether there were mechanisms for translating and sharing the Committee's concluding observations, particularly among public servants. Regarding trafficking in persons, it was important to involve the victims of trafficking in assessments of their needs and to seek their broader participation in all policies aimed at addressing that crime, including, for example, cooperation with civil society in shelter provision. She would welcome more details about the Accelerated Programme for Economic Integration Business Travel Card, more information about complaint mechanisms and

confirmation of the reportedly small number of migrants in an irregular situation in the country. It would be useful to receive more information about the transmission of social benefits, in particular pensions, for returning migrant workers and their relatives. Lastly, she would appreciate further information on plans to apply for the accreditation of the Seychelles Human Rights Commission by the Global Alliance of National Human Rights Institutions.

17. **Mr. Kariyawasam** said that he would welcome information on pay differentials between migrant workers and nationals; while such differentials were normal, there were potential risks of dissatisfaction if they became too significant. He also wished to know whether the Government had a mechanism to oversee remuneration structures and ensure decent pay for migrant workers.

18. **Mr. Babacar** said that he wondered whether the country had an action plan to combat child labour and wished to know whether the State party planned to ratify the ILO Migration for Employment Convention (Revised), 1949 (No. 97), and the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). He would also welcome details about the geographic distribution of labour inspections and wished to know whether there were statutory provisions ensuring the impartiality of inspectors. He wondered whether the informal sector was included in the Seychelles Decent Work Country Programme and would appreciate clarification on the cost of work permits and any connection between the validity of work permits and residency permits.

19. **Mr. Frasher** said that he would be interested to hear from the delegation about the State's specific needs, particularly in terms of capacity-building.

20. **Mr. Taghi-Zada** said that he wished to know whether the State party had conducted any forecasting on how climate change could influence migration flows to and from Seychelles. He would also be interested to learn about the reasons for the country's reliance on workers from neighbouring countries in key economic sectors, particularly tourism and hospitality; he wondered whether it was related to low wages for foreign workers or a lack of education and professional training among the local population.

21. **Ms. Gahar** said that she would welcome information on how the State party ensured that the voices of migrant children, including unaccompanied minors, were heard in administrative and judicial procedures concerning them, how they were protected and whether there were systems in place to ensure confidentiality in cases of violence against them. She would also appreciate information on the alternatives to custodial measures for migrant minors in conflict with the law and the use of restorative justice practices for migrant families.

22. **Mr. Charef**, noting that international treaties were not binding in Seychelles unless ratified by the legislature, said that he would like to know what measures had been taken to harmonize the country's legislation with its international commitments. He would be grateful for information about efforts to raise awareness of the Convention among the general public and also wished to learn more about the rights afforded to migrant workers in an irregular situation, given that the Convention applied to all migrant workers, irrespective of their legal standing. He would welcome information on the Government's plans and programmes to bring detention facilities into line with international standards, particularly given that some facilities had been built in the early twentieth century. Lastly, he wondered what actions the Government was taking domestically and internationally to address the challenges posed by climate change and ensure that the concept of climate refugees was recognized globally.

23. **Mr. Ceriani Cernadas** said that he would appreciate an update on the status of implementation of the recommendations made by the Truth, Reconciliation and National Unity Commission in its final report of March 2023, in particular in relation to reparations for victims of historical injustices and human rights violations. He was particularly concerned about the cases of individuals who had been forced to leave the country owing to human rights violations during that period and wished to know whether they had been taken into account during the drafting of the report and in the implementation of reparation measures.

24. **Mr. Oumaria** said that he encouraged the State to facilitate the transfer of funds and knowledge by connecting with diaspora and suggested establishing a mechanism that would

allow nationals of Seychelles living abroad to invest in their country and ease the resettlement process for those who wished to return.

25. **Mr. Corzo Sosa** said that the Committee found it regrettable that the official of the Seychelles Human Rights Commission responsible for monitoring the human rights situation in the country had not participated in the development of the State party report.

26. **Mr. Charef** said that it was still not clear how many people made up the diaspora of Seychelles, where those persons had settled around the world and what links they maintained with their country of origin.

The meeting was suspended at 11.25 a.m. and resumed at 11.50 a.m.

27. **A representative of Seychelles** said that nationals of Seychelles could be found all over the world, including in Asia, Europe, North America and other parts of Africa. Prior to 1977, a number of Seychelles nationals had left the country for the United Kingdom, where they had had the right to settle because Seychelles had been a British colony. Others had settled in Canada and Australia, as well as in France, Italy or other European countries. Members of the diaspora remained in touch with family members and sent them remittances. They also kept up to date with events in the country and expressed their opinions on developments there. A great many people who had left Seychelles had subsequently returned to join the workforce and contribute to the development of the economy. The President of Seychelles and other senior political figures met with members of the diaspora when they visited other countries around the world. The diaspora was very much part of the life of the country.

28. **A representative of Seychelles** said that a proposal to extend social security coverage to migrant workers had been drafted by the Seychelles Pension Fund in consultation with the Employment Department, the Immigration Department, the Ministry of Finance and other stakeholders; it was currently still under discussion. The Government was studying pension schemes for migrant workers in other parts of the world with a view to developing its own scheme. In that connection, it had been briefed by the local authorities in Geneva about the local pension system for migrant workers and plans were in place to visit other small island States, such as Mauritius, with a view to learning about their pension models. The proposal drafted by the Seychelles Pension Fund would be amended in the light of the information gathered and would then be submitted to the board of the Fund and, subsequently, to the Cabinet of Ministers.

29. The Government had not received any reports of child labour in Seychelles. The vast majority of children in the country attended school, which was free. In some isolated cases, an employer might fail to request authorization from the Employment Department to employ children under 18 years of age. In such cases, the employer was simply required to submit the relevant request. The Employment Act established restrictions on the employment of children in certain industries in order to safeguard their morals, health and safety.

30. The new Employment Bill that was due to be submitted to the Cabinet of Ministers in 2025 would set out a list of hazardous jobs, drawn up in collaboration with ILO, that children were not permitted to undertake without authorization from the Employment Department; the list might include certain jobs that children were not permitted to undertake under any circumstances.

31. ILO had conducted an analysis of the gaps in national law that should be considered in connection with the possible ratification by Seychelles of the ILO Migration for Employment Convention (Revised), 1949 (No. 97) and the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). ILO experts were still considering their findings and would submit them to the Government so that discussions on the possible ratification of the two conventions could be held with trade unions and employers' organizations.

32. Efforts had been made to analyse the informal employment sector and determine why some 8,000 people were working informally. Studies had found that many of the people employed in that sector had attended school and obtained qualifications. The Government was considering the possibility of establishing a national committee, headed by the

Employment Department, to examine ways of moving workers from the informal sector into the formal sector.

33. A number of projects had been developed to address the effects of climate change. Funding had been allocated to some projects but was yet to be assigned to others. At the international level, the Government sent a high-level delegation to the Conference of the Parties to the United Nations Framework Convention on Climate Change every year. A representative of Seychelles had won the first Green Champion Award in the transformational country category. The Government aimed to achieve net zero emissions by 2050.

34. Seychelles was not in a position to make the declarations under articles 76 and 77 of the Convention as the Government had not yet completed its review of certain key pieces of legislation that governed the implementation of the Convention, including the Employment Act, the Immigration Decree, the Prohibition of Trafficking in Persons Act, the Occupational Safety and Health Decree and the Industrial Relations Act.

35. A new mobile phone application was being developed to raise migrant workers' awareness of the Convention and their rights under it. The Seychelles Human Rights Commission brought together the key focal points from all the ministries to discuss the country's reporting obligations and the implementation of the international treaties that Seychelles had ratified.

36. **A representative of Seychelles** said that drugs ended up in Seychelles because the islands were situated along a route used to transport drugs around the world. The Government had an obligation to help drug addicts to overcome their dependency and find employment in the formal sector. In that connection, the Ministry of Health was implementing a programme to help people overcome their addiction to hard drugs.

37. The Ministry of Employment and Social Affairs had developed a range of reskilling programmes under which free support was provided to both citizens of Seychelles and migrant workers with substance dependence issues on an equal footing. Under a skills development programme that the Ministry ran in collaboration with the Ministry of Health, small, selected groups of persons underwent two days of rehabilitation per week and were provided with reskilling training in soft skills on the remaining three days. Efforts were made to ensure that participants in such programmes felt supported and encouraged to empower themselves both to contribute to society and to care for their own health and well-being. The Government had declared a war on drugs – which, particularly due to the difficulty of preventing drugs from entering the country via its extensive coastline, represented a major challenge for Seychelles – and received a large amount of assistance from the European Union and other entities in combating that issue.

38. **A representative of Seychelles** said that the Labour Relations Division of the Ministry of Employment and Social Affairs currently employed approximately 10 labour inspectors on Mahé, 6 on Praslin and 3 on La Digue, the three islands where the majority of the country's economic activity was concentrated. The Division was obligated to submit key performance indicators to the Ministry of Finance, National Planning and Trade in order to demonstrate that it was making proper use of the funding that it received for enforcement activities. The task force for combating trafficking in persons – which included officials from the police force, the Ministry of Health, the Ministry of Employment and Social Affairs and the Ministry of Internal Affairs – also conducted unannounced visits to workplaces where it was suspected that relevant laws were being violated.

39. The majority of foreign workers in the country earned more than Seychelles workers, primarily because of the differences between the qualifications they held. A minimum wage that applied to both groups had been instituted by law. Violations of the law – which could be detected during inspections or reported by nationals or foreign workers – could be addressed by means of either an order issued by an enforcement official to the employer to pay the minimum wage or face prosecution, or a grievance lodged by the worker or workers affected. Foreign workers were also protected by a procedure under which employers were required by law to submit employment contracts concluded with foreign workers to the Government for verification of their compliance with relevant laws.

40. The Financial Services Authority was responsible under the International Trade Zone Act for carrying out labour inspections of workplaces in the Seychelles International Trade Zone. While it did so without difficulty in most cases, due to the relatively small number of workers employed in the Zone, it could seek the assistance of the Labour Relations Division in conducting such inspections in more complex cases.

41. The Government had been able to enact the Employment (Conditions of Employment of Domestic Workers) Regulations in 2019 in the context of the legal protections for migrant and national workers that were already in place in the country, while it had ratified the ILO Domestic Workers Convention, 2011 (No. 189), only in 2024.

42. **A representative of Seychelles** said that since 2018, when the Committee against Torture had, in its concluding observations, expressed concern about the arrival of young female potential victims of trafficking in persons in Seychelles, and the Department of State of the United States of America had placed the country on the Tier 2 Watch List in its Trafficking in Persons Report, the Government had taken several steps to combat trafficking in persons, including by establishing a Trafficking in Persons Secretariat in 2021 to assist the National Coordinating Committee on Trafficking in Persons in coordinating and overseeing the country's efforts to prevent trafficking, protect and assist victims and prosecute traffickers. Significant progress had since been made in strengthening relevant laws, improving inter-agency cooperation, raising awareness about trafficking in persons among stakeholders and improving services for victims. The budget allocated for measures to combat that offence had been increased consistently over the previous four years.

43. Efforts to provide continuous relevant training on combating trafficking in persons had led to the creation of a dedicated unit in the Immigration and Civil Status Department and the in-service training of dedicated immigration officers on recognizing the signs of trafficking, understanding tactics used by traffickers and ensuring that proper reporting mechanisms were in place. Standard operating procedures for identifying and providing services to victims had been developed with the participation of the Immigration and Civil Status Department in 2023. The Government continued to improve monitoring and enforcement mechanisms at all points of entry to the country with a view to ensuring that no potential victims of trafficking in persons were able to enter Seychelles without appropriate scrutiny. Such progress was reflected in recent improvements in the classification given to the country in the Trafficking in Persons Report. The Government would soon open a joint coordination centre at which immigration and law enforcement bodies would coordinate analysis of data on all persons entering Seychelles with a view to better combating all forms of transnational crime.

44. The Government understood the importance of the victim's perspective in all aspects of combating trafficking in persons. All victims of trafficking were actively involved in all stages of their cases, their opinions were heard and respected and they played a central role in decision-making concerning their safety and well-being and legal processes in which they were involved; they were also provided with necessary services, including interpretation. In a recent case, a victim's wish not to continue her case had been respected and she had continued to receive other services. Victims' consent was obtained for any services provided to them. Whereas that consent had been given verbally in the past, current guidelines required consent in writing.

45. **A representative of Seychelles** said that all Chagossians who had been displaced to Seychelles in the 1970s were no longer referred to as Chagossians because they had become citizens of Seychelles, as had their children upon birth by virtue of their parents' citizenship. Following the declaration made by the British foreign secretary on 7 October 2024 that the United Kingdom of Great Britain and Northern Ireland was to transfer sovereignty over the Chagos Archipelago to Mauritius, the leader of an organization representing the Chagossian community in Seychelles – noting that the proposed treaty did not recognize the Chagossians who resided in Seychelles – had approached the Government to request its assistance in communicating with the Mauritian Government with a view to obtaining Mauritian citizenship for members of that community. The Government was assisting the community in that matter.

46. The annual cost of a work permit was 7,000 rupees (SR), which was equivalent to US\$ 500, while the monthly cost was SR 500, which was equivalent to US\$ 35. Workers in the fishing and agricultural sectors paid only 25 per cent of those fees, while members of sporting teams paid between 25 and 75 per cent; workers in the Seychelles International Trade Zone also paid reduced fees; and persons working for organizations of recognized religious denominations paid none. Foreign nationals who were married to citizens of Seychelles paid 50 per cent of the fees and persons working for private educational institutions paid only an administrative fee of approximately SR 1,000, which was equivalent to US\$ 70.

47. The Civil Status Act provided that all births in Seychelles were to be registered, irrespective of immigration status. Notifications of births were sent automatically from hospitals to the Civil Status Office, after which parents had 30 days to attend the Office to register the birth. Although possible delays in the process for obtaining work permits could result in migrant workers finding themselves in an irregular situation, such workers remained the responsibility of their employers and continued to enjoy the same rights that they had enjoyed when in a regular situation, including the provision of food, healthcare and shelter.

48. **A representative of Seychelles** said that, although Seychelles was a vulnerable country in various respects and the Government had to be mindful of its limited resources, it took into consideration, and adapted to, new circumstances that arose due to migration with a view to supporting the basic needs of migrant workers. For example, children of a migrant worker who had died received financial assistance – which had recently been increased by almost 150 per cent – from the Agency for Social Protection, while migrant workers had received free vaccinations against coronavirus disease (COVID-19) during the COVID-19 pandemic and were invited to attend free health screenings organized by non-governmental organizations. While the Government recognized the country's reliance on migrant workers to meet its labour needs, it wished to empower the population to participate in national development and make it more resilient by localizing skills. The fact that the delegation before the Committee consisted primarily of women reflected the Government's efforts to increase the number of women in high-skilled positions. Climate change posed a threat not only in the context of migration, but to the country's very survival, and the Government would continue to make its voice heard internationally on that issue. The fact that migrant workers were increasingly engaging in community activities and rapidly learning Seychelles Creole attested to their good integration into society.

The meeting rose at 1.05 p.m.