



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Item 4 of the provisional agenda

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

List of issues in relation to the combined first to fifth periodic reports of Seychelles

Note by the Committee

The pre-session working group considered the combined initial to fifth periodic reports of Seychelles (CEDAW/C/SYC/1-5).

General

1. Paragraph 40¹ indicates that reliable and systematic gender disaggregated data are lacking in fiscal, business, trade, macroeconomics, employment, agriculture and legal areas the “opportunities domain” and that the weakest area is the “vulnerability domain” with limited disaggregated data on poverty, social exclusion, domestic violence and crime. Please indicate the measures envisaged to establish regular collection and analysis of data disaggregated by sex pertaining to the areas of the Convention in which they are lacking.

Constitutional, legislative and institutional framework

2. Please indicate whether the Convention is directly applicable before courts and tribunals. Please indicate whether the provisions enshrined in the Convention are systematically integrated in the training curricula of judges, prosecutors and lawyers, the police and other law enforcement officers.

Access to justice

3. Paragraph 646 indicates that long delays in the disposal of cases in court are a major weakness of the judiciary system. Please indicate whether the State party is considering elaborating a policy for effective access of women to courts and tribunals, including for

¹ Unless otherwise indicated, paragraph numbers refer to the combined initial to fifth periodic reports of Seychelles (CEDAW/C/SYC/1-5).

cases of gender-based violence and domestic violence, as well as other forms of discrimination against women.

National machinery for the advancement of women

4. The report indicates in annex V that the aims of the 2010-2011 Plan of Action adopted by the National Gender Management Team include the development of a national gender policy. Please indicate the actions taken to accelerate the development of such policy and provide a clear timeframe for its adoption and implementation. Please also indicate how the coordination, monitoring and evaluation of its implementation are envisaged.

5. Paragraph 116 of the report indicates that the Gender Secretariat is composed of two staff members. Please indicate whether the State party is envisaging increasing the human and financial resources of the Gender Secretariat. Please also indicate which percentage of the national budget is allocated to the national machinery for the advancement of women and elaborate on the capacity of the Gender Secretariat to coordinate with different ministries.

Temporary special measures

6. Paragraph 152 indicates that the introduction of temporary special measures without appropriate advocacy and sensitization programmes may produce a harmful backlash. Please indicate whether the State party is considering carrying out sensitization programmes with a view to adopting temporary special measures to accelerate the achievement of de facto equality of women with men.

Stereotypes

7. Paragraph 175 indicates that the Government has been pro-active in combating stereotypes. Please indicate whether the State party has monitored the implementation of these measures and their impact and indicate whether it envisages strengthening the measures to eliminate stereotypes regarding the roles and responsibilities of women and men in family and society.

Violence against women

8. Information before the Committee refers to a low conviction rate for cases of rape. Please provide detailed information on the current situation and trends with respect to violence against women and girls, including rape, sexual abuses and domestic violence, and provide data on the number of cases of violence against women reported to the police and brought to court, the number of prosecutions and convictions in this regard, and the outcome of the decisions. Please explain whether the State party is envisaging establishing a systematic and regular gathering and analysis of data and information on all forms of violence against women. Please also provide information on the implementation of the 2010-2011 National Action Plan for Gender Based Violence and indicate whether another plan is envisaged for the coming years. Please provide detailed information on the measures taken and envisaged to: (a) enact legislation on violence against women; (b) encourage women to report acts of violence; (c) ensure prosecution and conviction of perpetrators; (d) provide victims with protection, remedies, rehabilitation as well as medical and psychological support; (e) combat stigmatization of victims; and f) carry out capacity-building and awareness-raising programmes for the judiciary, the police and other law enforcement officers, lawyers, health and social workers, and the public at large.

9. Paragraph 691 indicates that the law fails to recognize domestic violence as a criminal offence. Please indicate whether the State party is envisaging amending the

legislation to criminalize domestic violence. Please also provide information on the monitoring and implementation of the 2008-2012 National Strategy for Domestic Violence and indicate the measures taken to ensure and promote its effective implementation (para. 71). Please further indicate the steps taken to provide remedies and assistance, including shelters, as well as counselling and rehabilitation services to all victims of domestic violence.

Trafficking and exploitation of prostitution

10. Paragraph 196 mentions that the following offences are punishable by law: forced detention, abduction of women, maintenance of a brothel and living off the earnings of the prostitution of another person. Please indicate whether the State party is envisaging carrying out a study to investigate the scope, extent and causes of human trafficking, particularly of women and girls, including through the collection and analysis of data on trafficking of women. Please also indicate whether the State party is envisaging enacting a law and developing a strategy to address trafficking and exploitation of human beings.

11. Paragraph 194 of the report refers to the 2009 Plan of Action on Social Ills that includes a study on prostitution, a review of laws and training of law enforcement officials, educational programmes and rehabilitation services. Please provide information on the status of implementation of this Plan of Action and indicate whether the study covers the scope, extent and causes of prostitution. Please also provide detailed information on measures taken to discourage the demand for prostitution, including sexual tourism, and to introduce exit programmes, as well as rehabilitation and reintegration measures for women involved in prostitution.

12. Please indicate the steps taken to assess the risk for women and girls engaged in activities related to tourism, to be involved in commercial sex exploitation. Please also indicate the steps taken to prevent and combat sexual exploitation of women and girls and to raise awareness of the actors directly related to the tourism industry (travel agencies, hotels, bars and restaurants).

Political participation and decision-making

13. Most of the data provided on women's participation in political and public life and on women's access to decision-making positions are prior to 2009. Please provide updated data in this regard, at national and local levels.

Education

14. Paragraph 320 indicates that girls remain traditionally clustered in female oriented schools and therefore remain in a limited range of professions linked to caring activities. Please provide information on the measures taken and envisaged to encourage women and men to choose non-traditional fields of training and education. Please also indicate whether the State party has monitored the implementation of the teenage pregnancy policy aimed at the reintegration of teenage mothers into secondary schools and has put in place corrective measures as necessary (paragraph 356). Please also provide updated information on the measures taken to eliminate stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

Employment

15. Paragraphs 376 and 377 refer to the absence of a definition of sexual harassment in the legislation. Please indicate whether the State party considers adopting specific legal provisions which: (a) define and prohibit sexual harassment in the workplace; (b) require that employers take measures to prevent sexual harassment; and (c) provide for adequate

sanctions. Please also indicate whether the State party envisages adopting legal provisions which include the reversal or alleviation of the burden of proof in discrimination cases as a measure to favour women employees, so that employers must explain why women hold positions of lower rank, have less responsibilities and earn lower wages.

16. Paragraph 386 indicates that the 1995 Employment Act prohibits the termination of contract when a woman is pregnant. However, information before the Committee indicates that this provision is often not respected by employers. Please indicate the measures taken or envisaged to monitor the implementation of this provision and provide data on the number of cases brought to court in this regard and on the outcome of the decisions. Please also indicate the measures envisaged to increase the number and capacity of public day-care nurseries (paragraph 404). Please further provide information on the measures taken to ensure the application of the provision of the principle of equal pay for women and men for work of equal value.

Health

17. Paragraphs 459 and 474 indicate that teenage pregnancy rates remain significantly high and girls aged 15-17 need parental consent to access to contraceptives and HIV testing. Paragraph 475 of the report further mentions that a National Policy on Sexual and Reproductive Health is being drafted. Please indicate whether this policy has been finalized. Please also indicate whether it provides for affordable access to contraceptives, introduces education on sexual and reproductive health and rights in school curricula, ensures that all women and girls have adequate access to sexual and reproductive health services, and allows teenagers' access to contraceptives and HIV testing without parental consent.

Natural disasters

18. Paragraph 603 indicates that gender specific impacts of climate change in the areas of energy, water, food security and disaster management are absent or not sufficiently analysed. Please provide information on whether the State party envisages incorporating a gender perspective into national disaster management and in relief and recovery strategies.

Marriage and family relations

19. Please indicate whether the State party is envisaging withdrawing all discriminatory legal provisions, including those: (a) providing for disparities in the minimum age for marriage of girls and boys (article S 40 of the Civil Status Act); (b) making husbands primarily responsible for the family charges (article 214, paragraph 2, of the Civil Code); and (c) advantaging the father as regard: (i) the administration of the child's property (article 389 of the Civil Code); (ii) the consent to the child's marriage (articles 46 (1) and 47 (1) of the Civil Status Act); and (iii) the domicile of the child. Please also indicate whether the State party is envisaging adopting legislation governing de facto unions in order to provide women with protection and redress in case of separation.

Amendment of article 20, paragraph 1

20. Please indicate any progress made with respect to the acceptance of the amendment to article 20, paragraph 1, of the Convention.
