

Seychelles

Country:

Seychelles

Year:

2016

Freedom Status:

Partly Free

Political Rights:

3

Civil Liberties:

3

Aggregate Score:

68

Freedom Rating:

3.0

Overview:

In October 2015, President James Michel announced that the presidential election would be held early, in December, rather than in the first half of 2016. In a first for Seychelles, the opposition parties performed well enough in the first round to force a runoff election. Michel won the runoff by a narrow margin, leading opposition leader Wavel Ramkalawan to challenge the results in court. The case was pending at year's end.

Seychelles took several steps to improve its legal framework in 2015, including revisions of its electoral code and Public Order Act. Though the media environment is relatively free, there are few nonpartisan sources of information. Corruption, drug trafficking, and money laundering remain problems in the country.

Political Rights and Civil Liberties:

Political Rights: 26 / 40 (+1) [Key]

A. Electoral Process: 9 / 12 (+1)

The president and the unicameral National Assembly are elected by universal adult suffrage for five-year terms. The president serves as head of government and appoints the cabinet.

The opposition Seychelles National Party (SNP) boycotted the last parliamentary elections in 2011 after alleged misconduct by the ruling Parti Lepep (PL) in that year's presidential vote and the failure of the president to implement electoral reforms. The PL consequently won 33 of the 34 National Assembly seats, and the Popular Democratic Movement (PDM) took the remaining seat.

The Forum for Electoral Reform, comprising representatives from every registered political party, was established by the Electoral Commission (EC) following the 2011 parliamentary elections to review the electoral framework. Acting on recommendations from the forum and the EC, the National Assembly adopted a new election law in late 2014 that was promulgated in May 2015. Key changes included the introduction of year-round voter registration, greater transparency surrounding the register itself, and a provision for voting by citizens living abroad.

With the new electoral law in place, the SNP decided to participate in the 2015 presidential election, which became the most competitive in the country's history. None of the six candidates won a majority in the first round of voting. As a result, the opposition coalesced behind Ramkalawan of the SNP in a runoff against the two-term incumbent, Michel of the PL. Michel was reelected for a third term by a margin of just 193 votes. Ramkalawan and the SNP challenged the outcome, alleging irregularities on election day and errors in the final vote tabulation; they submitted petitions to the Constitutional Court that were pending at year's end. International observers, while generally positive in their assessments, reported some concerns over allegations of vote buying and withheld their final reports until the postelection processes could be completed.

B. Political Pluralism and Participation: 10 / 16

The ruling PL—formerly the Seychelles People's Progressive Front (SPPF)—remains the dominant party, having held power continuously since 1977. The leftist SPPF was the only legal party until a 1992 constitutional amendment legalized opposition parties. In 2015, former foreign minister Patrick Pillay led the creation of the first splinter party from the PL, the Lalyans Selselwa (Seychellois Alliance). Further new additions to the political landscape brought the number of presidential candidates to a record high of six.

Prior to the December election, some opposition parties claimed that the government was engaged in systematic harassment and intimidation of candidates. A government-aligned newspaper accused Pillay of human trafficking for his alleged abuse of a Sri Lankan employee; Pillay was later questioned and released. The first woman candidate for president, Alexia Amesbury of the Seychelles Party for Social Justice and Democracy (SPSJD), complained of regular intimidation at her home. In the past, the SNP has claimed that its sympathizers face job discrimination in the public sector and harassment by police.

C. Functioning of Government: 7 / 12

Concerns over government corruption have focused on a lack of transparency in the privatization and allocation of government-owned land, as well as Seychelles' facilitation of international financial transactions. A 2011 report released by the auditor general revealed nearly two decades of dysfunction in government finances, including unprofessional record-keeping, illegal procedures, and embezzlement. The government and senior political leaders are alleged to provide regulatory cover for foreign individuals and businesses seeking to hide or protect assets from their home governments and conduct illicit financial transfers. Seychelles was ranked 40 out of 168 countries surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 42 / 60

D. Freedom of Expression and Belief: 11 / 16

The government controls much of the nation's media sector, including the daily *Seychelles Nation* newspaper, the online resource Seychelles News Agency, and the only broadcast television station. Strict libel laws are in place, though they have not been used against journalists in several years. In 2013, the first private commercial radio station, Pure FM, began broadcasting. Several newspapers are in circulation, but most have partisan ties or are government-run. The government can restrict the broadcast of material considered to be objectionable. The board of directors of the officially nonpartisan Seychelles Broadcasting Corporation includes several non-PL members, though coverage is biased in favor of the ruling party. A political activist who hosted an online television show reported receiving death threats in 2015.

Religious freedom is constitutionally guaranteed and largely respected in practice. Churches in this predominantly Roman Catholic country have been strong voices for human rights and democratization, and they generally function without government interference. Smaller religious groups are afforded fewer broadcast opportunities on state radio, and non-Catholic students can be discriminated against in school.

Academic freedom is respected, though PL loyalists are reportedly favored in high-level academic appointments. There are few constraints on open and free private discussion. However, in the past individuals have sometimes been threatened, attacked, or briefly detained for posting antigovernment comments on blogs and social media.

E. Associational and Organizational Rights: 9 / 12

Despite constitutional protections, the freedoms of assembly and association are somewhat restricted in practice. The government occasionally impedes opposition gatherings. In July 2015, the Constitutional Court found that many sections of the 2013 Public Order Act were unconstitutional, including tight restrictions on public assemblies, the president's authority to impose curfews, and a provision allowing police to seize camera footage of law enforcement activities. The National Assembly replaced the law with a new Public Assembly Act in October. Although less restrictive, the revised legislation requires five days' notice to police before public gatherings, and allows the police commissioner to impose conditions on the venue or timing and to halt an assembly in the interest of defense, public safety, public morality, or public health. Organizers can appeal such decisions to the chief justice.

Human rights groups and other nongovernmental organizations operate in the country. Workers have the right to strike, but only if all other arbitration procedures have been exhausted; foreign workers who go on strike are subject to deportation. Collective bargaining is rare in practice.

F. Rule of Law: 11 / 16

The judiciary is generally independent, but judges sometimes face interference in cases involving major commercial or political interests. Due to the low number of legal professionals in Seychelles, the country brings in expatriate judges to serve fixed-term contracts on the Supreme Court. Contract renewal has the potential to compromise the impartiality of the non-Seychellois magistrates. In August 2015, a Seychellois citizen took office as chief justice of the Supreme Court, replacing a Ugandan national who had served for five years.

Security forces have at times been accused of excessive force and other abuses, including torture and arbitrary detention. Prolonged pretrial detention and overcrowding in prisons are common, though the British Commonwealth is assisting with case backlogs, and the government in May 2015

announced a fast-track mechanism to deal with traffic and environmental offenses. Pretrial detainees account for approximately 15 percent of the prison population.

In 2011, the country modified its laws to allow pirates captured anywhere in the world to be prosecuted in Seychelles. For several years, the European Union (EU) has transferred suspected Somalian pirates to the country for prosecution, leading to a number of high-profile sentences. This process continued in 2015, though not all cases resulted in conviction.

Sexual relations between men remained illegal at the end of 2015. However, a 2006 amendment to the Employment Act prohibits discrimination based on sexual orientation, and Seychelles pledged in 2011 that it would decriminalize same-sex sexual activity. The issue was still under consideration in 2015.

G. Personal Autonomy and Individual Rights: 11 / 16

The government does not restrict domestic travel but may deny passports for unspecified reasons based on “national interest.” While property rights are generally respected, the country’s economic life has historically been dominated by people of European and South Asian origin.

Seychelles, which has no gender quota system, has one of the world’s highest percentages of female lawmakers: 14 women were elected to the legislature in 2011, and 25 percent of the cabinet consists of women. Gender discrimination in employment is illegal, and women hold more than half of public service positions. Inheritance laws do not discriminate against women. However, rape and domestic violence remain significant problems, with most incidents apparently going unreported or unpunished.

Seychellois children and some foreign migrants are vulnerable to sex trafficking in the country. Foreign workers, who make up about a fifth of the workforce, can face exploitative conditions in the construction and fishing industries. The government does not actively enforce antitrafficking laws.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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