



REPUBLIC OF SEYCHELLES | PROFILE 2020

MIGRATION GOVERNANCE INDICATORS



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REPUBLIC OF SEYCHELLES | PROFILE 2020

MIGRATION
GOVERNANCE
INDICATORS



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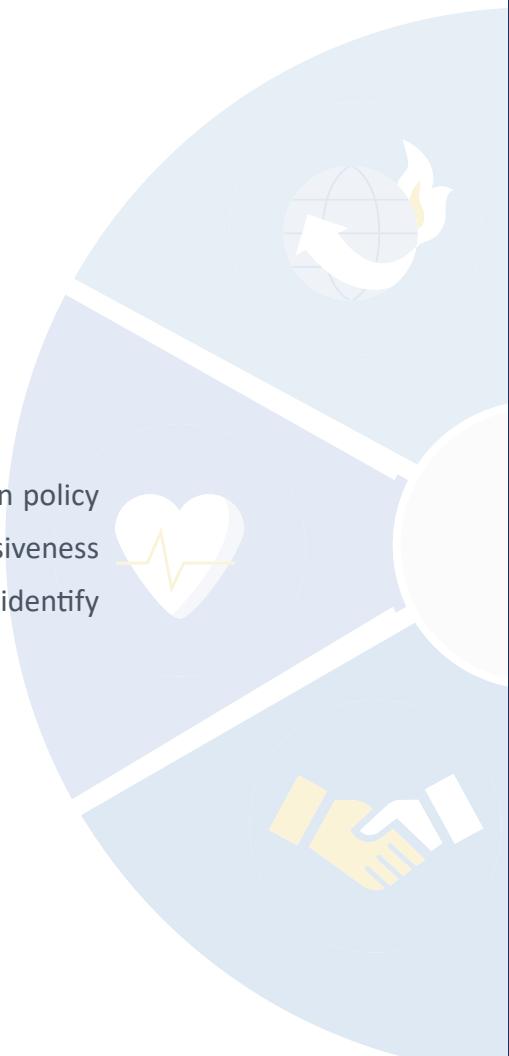
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OBJECTIVE



The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.

The MGI can be used to spark a discussion within governments, with other relevant stakeholders in the country, on their migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is Target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of Target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with The Economist Intelligence Unit to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that offers insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Republic of Seychelles (hereinafter referred to as Seychelles), as well as the areas with potential for further development, as assessed by the MGI.⁴

¹ IOM Standing Committee on Programmes and Finance, seventeenth session (S/17/4 of 29 September 2015), article 2.

² IOM Council, 106th session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of The Economist Intelligence Unit. Funding is provided by IOM's Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

PRINCIPLES

At the basis of

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports
the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



SUSTAINABLE DEVELOPMENT GOALS

TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies.**"



KEY FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 14

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 16

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 18

Indicators in this area assess countries' policies regarding the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 20

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY
AND REGULAR
MIGRATION
PAGE 21

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as Geneva Convention), 1951	Yes (1980)
United Nations conventions on statelessness, 1954 and 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (UNCRC), 1989	Yes (1990)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	Yes (1994)

1.2. Migration governance: Examples of well-developed areas

Migrants with regular status have the same access as citizens to Government-funded compulsory primary and secondary education in Seychelles. Preschool, primary school and secondary school are free for all migrant children. A fee for non-compulsory post-secondary education is charged to non-nationals (not to Seychellois). Both nationals and non-nationals must pay tuition fees in order to access the Seychelles tertiary education system, which includes professional centres teaching technical, technological and applied science subjects.

A pension scheme for migrant workers was introduced in 2020. The scheme, announced by the President and administered under the Seychelles Pension Fund, will allow migrant workers to make contributions towards a pension and access the funds when they leave the country. Implementation of this scheme had not started as of November 2020 due to COVID-19.

There is a path to permanent residency for certain categories of non-nationals, as outlined by the Immigration Decree (Amendment) Act (2013).⁵

Non-nationals can apply for citizenship in Seychelles after residency of 10 to 15 years. The Citizenship Act (1994) states that non-nationals married to Seychellois may apply for citizenship after 10 years of marriage and after living in the country for at least 5 years. It also states that non-nationals with the potential to make a

⁵ These are: spouses of Seychelles citizens married for at least five years and having lived in the country for at least five years; non-nationals with the potential to contribute significantly to the development of Seychelles, holding a degree in an area likely to benefit the country, or having already done so, and having lived in the country for five years; students who have studied in Seychelles up to secondary education, gained a degree and then lived in the country on a Gainful Occupation Permit for two years; and investors who have invested USD 1 million and either lived in the country for one year or who have had a business association with the country for five years.

"significant contribution to the development of Seychelles" or having already done so, and individuals who have been married to and had children with a Seychelles citizen, may apply for citizenship after having lived in the country for 15 years or after having been permanent residents for 10 years. Former students who studied in Seychelles up to the level of secondary education and gained a degree (not necessarily in the country) may apply for citizenship after 5 years of permanent residency, while investors may apply for citizenship after having invested USD 1 million and having lived in the country for 11 years. "Priority workers" who "possess an extraordinary ability in science, arts, education, economics, law, business or sports" and hold a university degree (doctorate, master's or bachelor level) in an area likely to contribute significantly to the development of Seychelles may also apply for citizenship after 15 years of residence or 10 years of being permanent residents.

1.3. Areas with potential for further development

Only migrant workers employed by the State have the same rights as citizens in accessing all primary health-care services, as outlined by the Public Service Orders (2011). Migrant workers not employed in the public sector have access to emergency health care, as outlined by the Constitution (1992). The Immigration Decree (Amendment) Act further states that non-nationals with permanent residence permits are not entitled to free medical services. Nationals have free access to health care, although they need to pay a small prescription fee for medications. Migrant workers pay for all fees associated with medical services and products.

Only citizens have access to the social protection schemes outlined in existing legislation.⁶ A Workers' Compensation Fund for accident relief (under development as of September 2020) will be accessible to both nationals and non-nationals. Seychelles does not have agreements with other countries on the portability of social security entitlements.

Only permanent residents have equal access to employment as nationals. The Immigration Decree (1981) outlines that a migrant with a permanent residence permit, Gainful Occupation Permit (GOP) or International Trade Zone (ITZ) permit may access employment. For a GOP or ITZ permit to be granted, non-nationals must be sponsored by an employer for a specific vacancy; they are unable to change employers, and the related permit is no longer valid upon expiry of the work contract. Migrants on residence permits, dependants' permits, study permits and visitors' permits are not allowed to work.

The Employment Act (1995) requires all non-nationals' employment contracts to be of fixed term. Employers must demonstrate that no Seychellois worker is available for the position, and they must also adopt a training and localization plan for nationals to take up the job in the future.⁷ In 2014, the Government introduced a quota system applicable to all sectors of the economy for the recruitment of migrant workers.

⁶ The Social Security Act (2010) lists 11 forms of benefit to be provided by the Seychelles Government, which include pensions, sickness and injury benefits for employees temporarily incapable of working, maternity benefits for pregnant women, disability benefits, dependant benefits for those supporting dependants, and orphan and survivor benefits for those who lost a supporting relative.

⁷ Localization is a skills transfer programme from migrants to locals, in order to enable local workers to access senior-level employment positions in key sectors, primarily tourism.



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

The Ministry of Employment, Immigration and Civil Status (MEICS) has overall responsibility for the country's migration policy and is the leading technical agency on migration. The MEICS Labour Migration Division oversees the employment and welfare of migrant workers, processes applications and inspects employers' contracts. The Labour Migration Division's Welfare and Counselling Unit conducts visits to migrant workers' accommodation and dormitories. The Localisation, Monitoring and Evaluation Section leads the review of policy concerning labour migration, collecting and analysing data on migrant workers, developing recommendations for labour migration policy, and overseeing the implementation of localization plans submitted by employers. The MEICS Labour Relations Division has a Labour Monitoring and Compliance Section which is responsible for conducting workplace visits and inspecting employers' premises. The MEICS Policy, Planning and Monitoring and Evaluation Section is responsible for setting policies, then collecting and analysing data on the implementation of such policies, including those on labour migration.

MEICS developed and adopted the National Labour Migration Policy (NLMP) in 2019. This is the country's main policy document concerning migration, and it aims to develop effective institutions and policies, protect migrant workers' rights, ensure the availability of required skills and promote fair recruitment practices. The NLMP identifies barriers to migrant integration as an issue and seeks to sensitize authorities, social partners, the public and employers on the issue through earmarked activities, media and discussions. The NLMP is aligned with the country's National Development Strategy 2019–2023 as it seeks to contribute to the strategy's objective of managing and upskilling the labour force. The National Labour Migration Action Plan (2020–2024) is being finalized as of November 2020 and will be implemented by a monitoring committee once it has been set up.

The Department of Immigration and Civil Status (ICS) is the main agency responsible for border security and management, including the regulation of entry and departure, and for enacting the country's immigration policy, including processing of visitor and work permits for non-nationals. The ICS Department is under MEICS and operates in collaboration with the Department of Foreign Affairs and the Department of Tourism within the Ministry of Tourism, Civil Aviation, Ports and Marine.

The Immigration Decree sets out the legal basis for the responsibilities of the Director of Immigration and immigration officers. It defines the permits required for non-nationals to stay in the country, defines the types of permits allowing non-nationals to work and invite dependants to live with them, and designates who are considered "prohibited immigrants".

Seychelles collects and publishes migration data annually. Every year, the National Bureau of Statistics publishes a migration and tourism report. The 2019 report includes arrivals data on the number of "new immigrants",⁸ length and purpose of stay, and country of residence, as well as data on the number of departures, disaggregated by purpose of departure, citizenship of departing person, destination continent, and country and month of departure. Data on arrivals of new immigrants, departures of residents, and net migration are disaggregated by age and sex. Additionally, the ICS Department publishes annual statistics on the number of residency and work permits issued to migrants, disaggregated by industry, occupational groups and nationality, but not by sex.

⁸ New immigrants are defined as migrants who arrived in 2019 and intend to stay for over 12 months.

Past Seychelles censuses included questions on migration integrated into other topics rather than through a specific migration module. The 2010 Population and Housing Census asked respondents to state their nationality; National Identity Number, which is coded depending on certain factors, including whether an individual is a migrant or a naturalized citizen; place of residence at the time of the census; and previous country of residence. The next population and housing census, scheduled to take place in 2021,⁹ will include a migration module.

2.2. Areas with potential for further development

The National Consultative Committee on Employment (NCCE), consisting of government, employer and employee representatives, was established in 2010 to discuss labour issues, provide advice to the Government, and report on the development and implementation of national employment policies. It meets on a quarterly basis and held its first discussions relating to migration issues in 2019. In addition, the Committee on Employment of Non-Seychellois (CENS) was established in 2014 as a platform for the private sector to advise MEICS on issues relating to the employment of migrant workers. The NLMP notes that CENS “appear[s] to be underutilized” and includes a specific action to “revive” it. The NLMP also includes a specific action to create a committee involving relevant ministries to monitor the policies’ implementation and strengthen the interministerial coordination mechanism on migration issues in Seychelles.

There is no dedicated agency for enacting the emigration policy of Seychelles, and the country lacks specific emigration legislation. There is also no institution tasked with diaspora engagement initiatives. The NLMP calls for embassies and consulates overseas to be mandated to encourage the engagement of citizens abroad.

The ICS Department captures data on the number of Gainful Occupation Permits (GOPs) issued, the current number of GOP holders in the country as well as expired GOPs. This data is not published and analysed, and the data capture system needs to be updated.

Seychelles does not have a national migration strategy, nor is there evidence that it is working towards enhancing migration policy coherence at all levels of the Government.

⁹ The census was scheduled to be conducted in 2020 and postponed to 2021 due to COVID-19.



3

ENGAGES WITH PARTNERS TO ADDRESS MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Seychelles participates in regional consultative processes. Under the Southern African Development Community (SADC), it is a member of the Migration Dialogue for Southern Africa (MIDSA), which was established in 2000 to enhance inter-State cooperation in a bid to improve migration governance. Seychelles is also a member of the Migration Dialogue from the Common Market for Eastern and Southern Africa Member States (MIDCOM), which was established in 2013 to improve the capacity of governments to manage migration, build harmonized data collection systems, and develop immigration policy and legislation. The Migration Dialogue for the Indian Ocean Commission Countries (MiDIOCC) was officially launched at a meeting of the Indian Ocean Commission in Seychelles in August 2019 and endorsed at the 34th Indian Ocean Commission Council of Ministers in March 2020, with Seychelles as the chair. Furthermore, Seychelles joined the Accelerated Programme for Economic Integration (APEI) along with four other African countries – Malawi, Mauritius, Mozambique and Zambia – in 2013. This initiative, supported by the World Bank, is intended to create regional reforms to improve the trading environment within Africa by stimulating competitiveness and to boost economic growth through closer cooperation in the area of movement of businesspersons and professionals. Seychelles signed the Memorandum of Understanding (MoU) for the Facilitation of Movement of Businesspersons and Professionals among APEI Countries in 2016.

Seychelles has MoUs related to migration with other countries. In 1992, it signed an MoU with Mauritius regarding a hotel staff training exchange programme. It has also signed MoUs for the recruitment of primary and secondary schoolteachers with Sri Lanka in 2013, Botswana in 2015, Mauritius in 2017 and Zambia in 2018. In 2012, it signed an MoU with Sri Lanka on labour migration.

Seychelles has launched bilateral migration negotiations with other countries. It started working on bilateral labour agreements (BLAs) with Ghana, India, Mauritius, Nepal, the Philippines, and Sri Lanka in 2020. These agreements and all future BLAs are to include ethical recruitment principles of migrant workers that were established in a BLA signed between Seychelles and Bangladesh in October 2019. This BLA introduced new regulations for the recruitment of Bangladeshi migrant workers by Seychellois companies. For instance, Seychellois employers recruiting Bangladeshi migrant workers may only do so through recognized private employment agencies accredited by the Government of Bangladesh, in an effort to counter human trafficking.

3.2. Areas with potential for further development

The National Labour Migration Policy (NLMP) lists 18 Southern African and Asian States as targets for future BLAs. Seychelles has begun working on BLAs with four of them.

Seychelles has ad hoc engagement with civil society organizations (CSOs) in agenda-setting and implementation of migration-related issues. For example, the NLMP states that interviews with CSOs contributed to the migration policy's situation analysis. The NLMP foresees the inclusion of CSOs in the Government's coordination mechanisms on migration, along with the formalization of the role of CSOs in protecting migrants' rights and providing services. The advisory committee that will represent and engage CSOs in migration issues is yet to be created as of November 2020.

Seychelles has ad hoc engagement with the private sector in migration-related agenda-setting. The Committee on Employment of Non-Seychellois (CENS)¹⁰ is a platform set up for the private sector to advise the Ministry of Employment, Immigration and Civil Status (MEICS) on labour issues, including labour migration. It meets on an ad hoc basis and does not play a role in migration policy development.

The Government does not engage with the diaspora on migration-related issues. The Department of Foreign Affairs is leading the development of a diaspora engagement policy as of November 2020, which includes plans to map the diaspora, address key issues of importance regarding them and set up mechanisms for their engagement.¹¹

¹⁰ CENS unites the Immigration Division; MEICS; the Ministry of Health; the Ministry of Tourism and Culture; and the Ministry of Finance, Trade, Investment and Economic Planning, with three private sector organizations – the Seychelles Chamber of Commerce and Industry, the Association of Seychelles Employers and the Seychelles Federation of Workers' Union.

¹¹ The Government's ongoing commitment to developing its diaspora engagement policy commenced in September 2019, with a fact-finding study tour to Ghana effected in November 2019.



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

Seychelles collects some data on the labour market disaggregated by sex. Quarterly Formal Employment and Earnings bulletins conducted by the National Bureau of Statistics (NBS) include numbers of expatriate workers in government and parastatal sectors disaggregated by sex.

The Seychelles Qualifications Authority (SQA) is responsible for the evaluation of foreign qualifications. The Policy Guidelines on Recognition of Foreign Qualifications (2008) establish several criteria to be considered during assessment of foreign qualifications, including the origin of the qualification, the accreditation status of the awarding institution, and the main elements of the qualification, such as entry requirements and the duration and field of study. Individuals wishing to have their foreign qualifications recognized must apply to the SQA for assessment.

Seychelles participates in several international schemes related to common qualification frameworks. In 2018, Seychelles became a pilot country for the Southern African Development Community Qualification Framework (SADCQF). The framework encompasses all levels of education and aims to enable SADC member States to recognize national qualifications from each other and promote intraregional mobility for learners and workers. Seychelles is also a member of the Virtual University for Small States of the Commonwealth (VUSSC), which established its Transnational Qualifications Framework (TQF) in 2008. The VUSSC TQF includes existing national and international qualifications frameworks and is described primarily as a “translation instrument” allowing for comparison of existing qualifications frameworks.

The Government of Seychelles plans for all future bilateral labour agreements (BLAs) to include tighter controls on labour migration management in order to promote ethical recruitment of migrant workers, as seen in the case of the BLA with Bangladesh in 2019.

4.2. Areas with potential for further development

Not all labour market data is disaggregated by sex and migration status. The Labour Force Survey (LFS), conducted on a quarterly basis since 2014 by the NBS, collects data on employment, informal employment, unemployment and the potential labour force. It disaggregates the data on employed and unemployed populations by sex but not by migration status. As a one-off occurrence, the 2011 LFS Report contained a chapter titled “Migrant workers” where data on labour migrants is disaggregated by age group, marital status, profession and earnings, and nationality. The LFS does not cover migrants living in institutional dwellings.

There is no national assessment for monitoring the labour market demand for immigrants. Under the Decent Work Country Programme (DWCP) (2019–2023), an existing labour market information system (LMIS) created under the National Employment Policy (2014) is to be further developed to enhance the ability of the Ministry of Employment, Immigration and Civil Status (MEICS) to monitor labour demand. The development of a new LMIS was commissioned by MEICS due to the limitations of the current system in comprehensively monitoring and evaluating the labour market. The new LMIS is under development by the Department of Information Communications Technology, a government body under the office of the Vice President of the Republic of Seychelles as of July 2020.

The Government does not collect statistics on emigration or its effects on the domestic labour market. In November 2020, the Ministry of Finance, Trade, Investment and Economic Planning has conducted a study on the effects of labour migration in Seychelles, including the impact of the COVID-19 pandemic on the labour market.¹² Under the National Labour Migration Policy (NLMP), the Government plans to improve the collection and compilation of qualitative and quantitative data on occupations to monitor the emigration of skilled Seychellois and map their whereabouts abroad.

Seychelles has a quota system to manage immigration flows, but this is not linked to labour market demand. In 2014, MEICS (then known as the Ministry of Labour and Human Resource Development) introduced the quota system for the granting of Gainful Occupation Permits to non-nationals. However, due to a lack of data on labour market shortages, quotas were set on a ratio basis according to the size of companies and sectors rather than labour market demand.

The NLMP includes plans to strengthen the protection of migrant workers' rights by introducing more stringent recruitment regulations – including regulations for private employment agencies and for employers seeking to recruit migrant workers from abroad directly, without passing through private recruitment agencies or other intermediaries – and continuing to enforce regulations against the charging of recruitment fees to foreign workers. As of November 2020, MEICS is reviewing the recruitment practices of private agencies to put in place regulations reinforcing the ethical recruitment of migrant workers.

The Government of Seychelles is not actively promoting the creation of formal remittance schemes.

¹² The study focuses on six main thematic areas: (a) assess the magnitude of labour migration; (b) review the causes; (c) evaluate issues; (d) consider social and economic costs and benefits; (e) highlight policy implications; and (f) consider COVID-19 impacts.



5

EFFECTIVELY ADDRESSES THE MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

The Department of Risk and Disaster Management (DRDM) developed the National Emergency Shelter Contingency and Management Plan (2011) which addresses the displacement impacts of disasters. It determines principles for the creation of emergency shelters for persons displaced during disasters and specifies that any resident in Seychelles may access shelters. Recently, the DRDM also developed the National Integrated Emergency Management Plan (NIEMP) (2019) which outlines the country's general framework and approach to disaster preparedness and response in an inclusive manner for all persons residing in Seychelles.

Seychellois living abroad may register with Seychellois embassies and consulates on a voluntary basis. The Department of Foreign Affairs (DFA), through diplomatic bodies, assists citizens abroad during crises through measures such as providing temporary travel documents and posthumous repatriation. For example, the DFA negotiated and organized several repatriations of Seychellois nationals during the COVID-19 pandemic in 2020.

Seychelles has communication systems in place to provide the public with information on the evolving nature of crises. District contingency plans state that the Seychelles Broadcasting Corporation is responsible for informing the population about crises in English, French and Creole.

5.2. Areas with potential for further development

Seychelles does not have a strategy with specific measures to provide assistance to non-nationals before or during crises, or in post-crisis situations. While crisis management measures cater for all persons in Seychelles at any time of crisis, the Disaster Risk Management Act (2014) does not contain any measures to provide specific assistance to non-nationals.

Seychelles does not have a national disaster risk reduction strategy or a contingency plan to manage large-scale population movements in times of crisis. In addition, it does not have strategies in place to address migratory movements caused by the adverse effects of climate change.

The DRDM is responsible for the development of a National Multi-Hazard Risk Communication Alert and Warning System, including an early-warning system to inform the population of disasters, as outlined by the Disaster Risk Management Act. However, this is yet to be established.

Disaster recovery strategies in Seychelles do not address migration issues. For instance, the recovery strategy in *Seychelles Damage, Loss, and Needs Assessment (DaLA): 2013 Floods* conducted by the Government outlines reconstruction efforts and improved measures for emergency preparedness, but it makes no reference to migration issues. The recovery strategy in *Seychelles Post Disaster Needs Assessment: Tropical Cyclone Fantala (2016)* also does not address migration issues.



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

Seychelles has a dedicated body for border control and security. The Immigration Division of the Department of Immigration and Civil Status (ICS) under the Ministry of Employment, Immigration and Civil Status is responsible for immigration control. Its duties include verification of identity documents at border posts and issuing visitors', dependants', residence and work permits.

Seychelles has a law dedicated to combating human trafficking – the Prohibition of Trafficking in Persons Act (2014) – that introduces penalties for trafficking offences and creates an interministerial National Coordinating Committee on Trafficking in Persons (NCCTIP) under the leadership of the Ministry of Employment and Social Affairs. The NCC meets regularly and involves the Director General for Consular Affairs, the Attorney General and representatives of the ICS Department, and civil society organizations tackling TIP. It monitors TIP-related issues and coordinates with the agencies involved in combating TIP. The NCC's Strategic Framework and National Action Plan to Combat Trafficking in Persons (2014), which contains measures to prosecute traffickers and protect victims, includes as guiding principles gender sensitivity and a focus on protecting children and their rights. Following the adoption of Seychelles' Prohibition of Trafficking in Persons Act, immigration officers receive regular training on trafficking from the ICS Department and the Employment Department.

Seychelles is taking some measures to protect migrants from labour exploitation. The Labour Migration Division's Welfare and Counselling Unit conducts regular investigations of workplaces in order to monitor the welfare of migrant workers, attends to and reports non-compliance with laws and procedures such as the Employment Act and the Occupational Safety and Health Decree (2012), and handles issues on general welfare and working conditions. The Welfare and Counselling Unit further promotes and raises awareness of good welfare practice among employers and relevant authorities.

The website of the ICS Department provides clear information on the types of permits required for non-nationals to live and work in the country.

6.2. Areas with potential for further development

Seychellois immigration officers undergo specific training, including on human rights, although this is ad hoc and only available for specific target groups – for example, customs or immigration officials. As of 2015, Seychelles has an agreement with the International Labour Organization's Training Centre in Italy, which offers courses on labour migration for various stakeholders, including border officials. Training for immigration officers on professional skills has been conducted by other countries' border agencies, including the United States Department of Homeland Security in 2008, the British High Commission in 2016 and the United Kingdom Immigration Enforcement in 2018.

There are no formal policies to attract Seychellois who have emigrated, nor is there a programme facilitating their reintegration upon return. The National Labour Migration Policy envisages the introduction of incentive programmes to attract Seychellois back, which may include return programmes for sectors lacking trained professionals, advantageous investment opportunities, or tax benefits.

All labour rights protections outlined in the law apply to nationals and non-nationals alike.¹³ However, there is currently no legislation specifically protecting migrants from labour exploitation.

¹³ This refers to the Penal Code (1955) and the Prohibition of Trafficking in Persons Act.



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ANNEXES

MiGOF: Migration Governance Framework¹⁴

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.¹⁵ IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

¹⁴ IOM Council, Migration Governance Framework, 106th session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

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The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal¹⁶ and uploaded on the IOM Online Bookstore.¹⁷

¹⁶ You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

¹⁷ Please see <https://publications.iom.int/>.



www.migrationdataportal.org/mgi

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