



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

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

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

**Combined sixth and seventh periodic reports of States parties**

**Mauritius\***

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

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## List of abbreviations

CCPP	Community Child Protection Programme
CDU	Child Development Unit
CESC	Commercial and Sexual Exploitation of Children
CSO	Central Statistics Office
CWO	Child Welfare Officers
DPP	Director of Public Prosecutions
EOA	Equal Opportunities Act
ERA	Employment Rights Act
EP	Empowerment Programme
FWPO	Family Welfare & Protection Officers
GAD	Gender and Development
HBS	Household Budget Survey
HDI	Human Development Index
HRDC	Human Resource Development Council
IEC	Information Education and Communication
IVTB	Industrial and Vocational Training Board
IWD	International Women's Day
MACOSS	Mauritius Council of Social Services
MAM	Mouvement d'aide à la Maternité
M&E	Monitoring and Evaluation
MDGs	Millennium Development Goals
MFC	Muslim Family Council
MSC	Mauritius Sports Council
MFPWA	Mauritius Family Planning and Welfare Association
MSSSA	Mauritius Secondary Sports Association
NAPCDV	National Action Plan to Combat Domestic Violence
NCC	National Children's Council
NEF	National Empowerment Foundation
NGM	National Gender Machinery
NGPF	National Gender Policy Framework
NPCC	National Productivity and Competitiveness Council
NRB	National Remuneration Board
PACs	Participatory Advisory Committees

PBB	Programme Based Budgeting
PDVA	Protection from Domestic Violence Act
PEP	Post Exposure Prophylaxis
PFPU	Police Family Protection Unit
PMS	Performance Management System
PSC	Public Service Commission
SME	Small and Medium Enterprises
SPUW	Special Programme for Unemployed Women
TSM	Temporary Special Measures
WEP	Women Empowerment Programme
WID	Women in Development
WIN	Women in Networking

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## I. Introduction

1. Since independence in 1968, successive governments have committed themselves to protect women's rights in Mauritius, to improve their standard of living and their quality of life. The setting up of a specific Ministry of Women's Affairs in 1982 and the range of legislative reforms, policies and programmes pursued to empower women at all levels during the past forty years aim to promote women's safety, their well-being, their economic security as well as those of their families.

2. Government acceded to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1984 and at the 14th session of the Committee, the initial and second periodic report was submitted. The combined third, fourth and fifth periodic reports (CEDAW/C/MAR/3-5), which covered the period 1993 to 2003, were examined in August 2006. The concluding comments of the CEDAW Committee on the Elimination of Discrimination against Women (CEDAW/C/MAR/CO/5) spelled out at the 36th session (7–25 August 2006) invited the State party to submit the combined sixth and seventh periodic report in 2009.

3. As per the remark made by the Committee to the State Party, this sixth and seventh periodic report builds on previous reporting on CEDAW, outlines the progress achieved and the challenges that remain in implementing CEDAW. The format used for reporting is in line with the guidelines provided in the United Nations International Human Rights Instruments (HRI/GEN/2/Rev.1/Add.2 of 5 May 2003), section E (Subsequent periodic reports).

4. The third, fourth and fifth periodic reports covered the period 1993–2003. The report submitted by the Government to the CEDAW pre-sessional working group (June 2006) in the form of responses to the list of issues and questions for consideration of the combined 3rd, 4th and 5th periodic reports provides an update of changes in the status of women and related issues up to year 2005. The present report will update the figures provided on the CEDAW Articles for the period 2004–2008 and will cover key legislative, policy and other key related measures adopted since 2005.

5. In accordance with Article 18 of the CEDAW and the guidelines on reporting mentioned in section 1.3, this report will respond to the concluding observations (CEDAW/C/MAR/CO/5) on the combined 3rd, 4th and 5th reports.

6. The following methodology was adopted in the drafting of this report:

- A meeting with all stakeholders comprising sectoral Ministries and civil society organizations was held during which concluding comments of the Committee were disseminated, and stakeholders were briefed on their expected contributions to the successful writing of the report as per guidelines of the CEDAW reporting format
- Inputs were received from respective stakeholders
- A detailed analysis of inputs received was undertaken
- Follow-up action was initiated to track the inputs of stakeholders
- Working sessions were held with Heads of Units at the Ministry of Women's Rights, Child Development and Family Welfare (MWRCDFW) to elicit views on the implementation of CEDAW articles and clarifications on emerging issues were sought

- The draft document was circulated amongst stakeholders, including civil society organizations; the views expressed have consequently been incorporated therein and validated

## **II. Report on concluding comments of the Committee on the Elimination of All Forms of Discrimination against Women on the combined third, fourth and fifth periodic reports**

7. The Government of the Republic of Mauritius is fully committed to achieving social justice and gender equity on the basis of its guiding principle of “putting people first”.

8. Since the submission by Mauritius of its last report to the Committee on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was considered on 11 August 2006, a range of measures has been undertaken by Government to consolidate its actions to sustain the advancement of women; whilst addressing the concerns raised by the CEDAW Committee.

9. Fully conscious of the pertinence of concerns and in accordance with paragraph 9 of the Committee’s concluding comments (CEDAW/C/MAR/CO/5), the National Gender Machinery (NGM) circulated copies of the concluding comments to all relevant Ministries and Governmental institutions. These were also posted on the website of the NGM.

10. This section seeks to provide feedback on the implementation of the issues raised by the Committee highlighting achievements, mentioning constraints encountered and expressing challenges to be addressed with a view to translating the provisions of the CEDAW *in toto*.

### **Legal education on CEDAW**

11. In response to the Committee’s comments at paragraph 11, which recommended awareness-raising and training programmes on the Convention for the judiciary, law-enforcement officials, members of the legal profession and the public, the following are to be noted.

#### **Achievements**

12. The NGM retained the services of a barrister-at-law to develop a booklet on the provisions of CEDAW. This booklet was launched on 8 March 2006, in the context of International Women’s Day (IWD) by the Prime Minister and has been widely distributed amongst stakeholders, with a view not only to creating awareness of its contents, but to using it as a tool for further dissemination.

13. On 8 March 2007, another information booklet pertaining to human rights instruments entitled “From Commitment to Action” was launched and circulated amongst all partners of the NGM. The booklet highlights CEDAW principles and refers to other human rights instruments pertaining to the rights of women.

#### **Constraints**

14. Budgetary allocations for capacity-building programmes on gender mainstreaming, analysis and impact assessment remains a major hindrance.

### **Challenges**

15. It is deemed imperative to sustain awareness campaigns aimed at changing prevailing gender norms.

16. The NGM has scheduled a Training of Trainers' programme on human rights instruments including CEDAW, the aim of which is to equip senior officers of the NGM and its policy-implementing bodies to trickle down information at grassroots and community levels.

### **Personal status law**

17. In response to recommendations made at paragraph 13, the Equal Opportunities Act has been passed by Parliament but as at August 2009, had not yet been proclaimed.

### **Achievements**

18. The Government programme of 2005 spelled out "*l'introduction et la mise en pratique d'un Equal Opportunities Act afin d'établir une culture de méritocratie*". This measure has been translated into reality with the enactment of the Equal Opportunities Act (EOA) in December 2008.

19. With regard to the educational sector, the EOA makes explicit that no discrimination shall be made relating to access to education and extends it to facilities and services offered by educational institutions – all aimed at addressing the "*pink ghetto*" cycle and stereotyped jobs.

20. In the same vein, the adoption in March 2008 of the National Gender Policy Framework (NGPF) further reinforces an institutionalized culture of gender responsiveness whereby each Ministry/Institution including the private sector and the media are required to develop their sector-specific gender policy statements. The NGPF therefore focuses on outcomes and impacts relating to the livelihoods of human beings as holders of rights.

### **Constraints**

21. The full implementation of the EOA will require that adequate resources be devoted for affirmative action leading to the empowerment of women and creating an environment conducive to attaining equality of opportunity and outcome. Accountability for outcomes also necessitates that allocations are actually directed and spent for the intended beneficiaries, lest this Act remains as a mere declaration of intent.

### **Challenges**

22. There is need to engage with all citizens in order to raise awareness about why this Act matters – hence the need to publish, publicize and disseminate the Act as widely as possible so that the culture of equal opportunity is embedded in our norms.

There is need to adopt a coordinated and integrated approach, involving different multi-pronged interventions, as dimensions of human rights are interwoven. This Act should be rendered a user-friendly tool for all individuals to have recourse to, so that their fundamental rights are respected.

### **Temporary Special Measures (TSM)**

23. With reference to the concern and recommendations raised by the Committee at paragraphs 14 and 15 of its concluding comments requesting the State to address the issue



of temporary special measures (TSM) with regard to women's participation in decision-making, education and access to economic opportunities, Mauritius has witnessed significant progress related thereto.

24. With reference to implementation of TSM, it needs to be stressed that the Constitution of Mauritius makes provision for non-discrimination on the basis of sex. The Constitution protects individual rights and not group rights. In fact, individual rights remain the basic underlying philosophy of the constitutional protection of fundamental rights in Mauritius. Government is convinced that token representation and quotas should not be seen as a means to an end. It holds the view that equality of opportunity should be mainstreamed at all levels.

### **Achievements**

25. With regard to women's participation in decision-making, we are witnessing a feminization of the civil service, with an increased number of women in top decision-making positions. The following statistics speak for themselves.

26. As regard women in politics, there has been a significant leap from 5 per cent to 17 per cent at National Parliamentary level, as well as at local governmental level. Some figures are as follows: with regard to female representation in higher decision-making instances, for permanent secretaries and senior chief executives, we have witnessed a leap of 31 per cent in 2005 to 37 per cent in 2008.

27. In the educational sector, universal free education at primary and secondary levels remains a reality and has contributed significantly to enabling women to reach a higher status in society.

28. Despite the tight economic conditions, the Government of Mauritius has taken bold measures towards the economic empowerment of women. These include specialized institutions, and the setting up of special empowerment programmes, inter alia, for retrenched workers, who are predominantly female, providing them with reskilling to better adapt to the emerging needs of the market.

### **Constraints**

29. TSM has not yet been incorporated in national law, as the underlying philosophy of the Government is towards the respect of the fundamental rights of the individual, as compared to group rights, thereby promoting a culture of meritocracy.

### **Challenges**

30. Challenges pertaining to women's participation in decision-making, women's representation in the educational sector and their access to economic opportunities rest on the fact there needs to be stronger advocacy and lobbying in favour of women's equal human rights. Moreover, the vibrancy of the social/women's movement in Mauritius needs to be revived with the younger generation, as well as their capacity built on advocacy skills.

31. In relation to the Committee's concern about the stereotypical model of the male as main breadwinner, (paras. 16–17) it is to be noted that analysis of the Time Use Survey carried out by the Central Statistics Office in 2005 reveals that the average male worker spends 6.9 hours at work per day, as compared to the average female worker who spends 5.9 hours. This shows the need to characterize the Mauritian household as a dual earner model and the changing stereotypical male model.

### **Achievements**

32. The Ministry has witnessed a shift in approach, from “Women in Development” to that of “Gender and Development”. To that effect, the “Women’s Unit” has been restyled as from July 2008 into the Gender Unit. In light of these changes, the mission of the Gender Unit is two-pronged, namely, to act as a policymaking and monitoring body for gender mainstreaming; and undertake activities towards women’s empowerment.

33. In the same vein, activities of the Home Economics Unit (HEU) are being re-engineered to fit the Gender and Development Model. To that effect, home management classes have been tailor-made to adapt to the changing needs of the new household model, and evening classes are being offered for different target groups, including women and men. This will be elaborated further under Article 5.

34. The Gender Unit has been actively involved in undertaking sensitization campaigns on the gender concept, so as to inculcate a culture of gender sensitivity to do away with the embedded patriarchal norms. An information booklet entitled “Did You Say Gender” has been published and widely circulated, in 2008 amongst the stakeholders of the National Gender Machinery, as well as secondary schools.

35. In light of recommendations of the National Remuneration Board (NRB), gender-based job classifications/appellations, which still exist in a few Remuneration Orders, are gradually being rendered gender neutral.

36. Concurrently, the “Men as Partners” Programme has been extended to different regions thus broadening our outreach programmes. The Family Welfare and Protection Unit has spearheaded the formulation of a National Policy Paper on the Family (2006), having as its goal the formation of formal family structures where both husband and wife share their responsibilities in caring for the children and maintenance of family resources. Similarly, one of the strategic objectives of the National Action Plan to combat Domestic Violence ((NAPCDV, 2007) is to sensitize and change the mindset of the population at large to prevent violence from happening.

37. In line with the CEDAW Committee’s recommendation to strengthen non-sexist advertising, the Media Watch Organisation, a non-governmental organization, has, with the support of the MWRCDFW, been acting as a watchdog to prevent and advocate against using women as sex symbols in the written and oral media and billboards for publicity purposes.

### **Constraints**

38. Mindsets, norms and values are the product of socialization practices which cannot be changed overnight. Time is needed to undo prevailing sex stereotypes.

### **Challenges**

39. In view of the fact that patriarchal culture remains embedded within our structures it is imperative that the lead agency (MWRCDFW) sustains its sensitization campaigns on gender issues so as to bring about a change in mindsets.

40. To that effect, the implementation of the National Gender Policy Framework (NGPF) remains a prerequisite and will be used as a yardstick to assess the level of interventions of different stakeholders in their endeavours to bring about a gender inclusive society.

41. The CEDAW Committee has recommended (paras. 18–19) intensifying awareness-raising efforts with regard to domestic violence. The latter has concurrently been one of the priority areas of intervention of the Ministry in regard to safeguarding family welfare. The

Family Welfare and Protection Unit has, to that effect, formulated a National Action Plan to Combat Domestic Violence in 2007, which includes specific strategic objectives related to (a) sensitization and changing of attitudes to prevent domestic violence from occurring in the first place ; (b) promoting responsible advocacy, sensitization and provision of a forum by media specialists to encourage the community at large to discuss domestic violence; and (c) undertake research and studies on domestic violence, strengthen capacity-building and set up appropriate mechanisms for monitoring and evaluation of the National Action Plan to Combat Domestic Violence for the promotion of best practices.

### **Achievements**

42. Other measures taken to sustain the campaigns on violence against women include Information Education and Communication (IEC) materials; the setting up of Zero Tolerance Clubs, which act as watchdogs to ensure that their localities remain violence free; anti-violence campaigns; workshops for capacity-building of service providers; pre-marital counselling and marriage enrichment programmes; and the setting up of a hotline on a 24-hour basis to attend to cases of domestic violence. The Zero Tolerance Club is also a facilitator between the community and the Family Welfare and Protection Unit of the Ministry.

43. With the advent of Information and Communication Technologies, an online service that provides an easy way of reporting cases of violence. The website of the Ministry also houses a 'psychologist corner'.

44. Consequently, there are presently 1 shelter operating under the aegis of the Ministry, one run by a Trust Fund for Women and Children in Distress and a third one, run by an NGO (SOS Femmes). In parallel, survivors of violence also seek temporary shelter in other charitable institutions, or opt to stay in family settings.

45. It should be highlighted that the rationale behind limiting the number of shelters is that the Ministry has adopted an approach of preventing violence from happening in the first place. Moreover, it has been noticed that shelters may act as a quick-fix solution whereby women with no place of abode check in for minor problems. The philosophy of the Ministry is to undertake counselling, promote dialogue and shift towards mediation, rather than disrupting peace and harmony in the family.

46. The NAPCDV provides for a Monitoring and Evaluation (M&E) system to be established to ensure its effective implementation. A National Domestic Violence Committee (NDVC) has been established at the Ministry with a view to promoting and adopting a coordinated approach at central level and to ensure the protection of victims in collaboration and consultation with all parties convened with addressing the problems of domestic violence. The main objectives of the NDVC are to (a) reduce and prevent the incidence of domestic violence; (b) provide accessible, reliable and coordinated guidance on cases of domestic violence and ensure that victims receive appropriate treatment and care; (c) promote welfare of the family; and (d) create an environment free from any form of violence within the family and the community.

47. A review of the progress achieved, constraints identified and lessons learnt will be undertaken in due course. Baseline indicators have been developed and a database on domestic violence is available at the Family Welfare and Protection Unit. Indicators to monitor the implementation of the Action Plan have been developed.

### **Constraints**

48. Often, limited budgetary allocations, particularly in the present socio-economic context, restrict the scope of operation. In addition, experience has shown that survivors of

violence, bound by cultural barriers and economic dependence, prefer to bear with the abusive behaviour than to leave such relationships and seek refuge in shelters.

### **Challenges**

49. The NAPCDV stipulates that appropriate accessible, timely and coordinated responses should be established to provide support to all victims' abusers and children who are in need.

50. At present, the concept of Shelter in Mauritius is only focused on providing a temporary security place for battered women.

51. The CEDAW Committee recommends (paras. 20–21) the State party to address the issue of trafficking in women and girls through the enactment of appropriate legislation, provision of educational and economic alternatives to prostitution, as well as sensitization campaigns. Those recommendations have guided Government's actions to curb the scourge of prostitution.

### **Achievements**

52. It is to be noted that a Combating of Trafficking in Persons Act was passed by Parliament in 21 April 2009. The objectives of the Act are to give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in persons; prevent and combat trafficking in persons; and protect and assist victims of trafficking. It provides, *inter alia*, for repatriation of victims of trafficking, return of victims of trafficking to Mauritius, compensation to victims of trafficking and other penalties.

53. In view of the fact that Mauritius was placed in the Tier 2 watch list category in the United States Trafficking in Persons Report 2005, several measures have been taken by Government to deal with commercial and sexual exploitation of children, taking Mauritius to the Tier 2 placement in 2006 and to Tier 1 placement in 2009. These include:

- A residential drop-in centre will be shortly constructed at Grand River North West to cater for the rehabilitation and reintegration needs of child victims of abuse and neglect. This is in line with Sections 4 and 9 of the Combating of Trafficking in Persons Act 2009, which provide for the setting up of centres for child victims of trafficking and the provision of accommodation and assistance to these victims respectively. The residential drop-in centre will provide specialized support services to those children who are victims of commercial and sexual exploitation as they cannot be accommodated in the same shelter as child victims of other forms of abuse.
- The setting up of the Brigade pour la Protection des Mineurs (BPM) by the Police Department, in collaboration with the MWRCDFW to protect children from all forms of abuse, including Commercial Sexual Exploitation of Children (CSEC).
- Public awareness campaigns in collaboration with the National Children's Council through ongoing talks in primary and secondary schools, to parents, in regions at risks, as well as through the media.
- Training of service providers including Officers of the Ministry, the police, probation service, medical social workers and NGOs, to enhance provision of services given to victims of CSEC.
- Since January 2008, crackdown operations around the island are organized at regular intervals by Officers of the MWRCDFW, National Children's Council, BPM, and NGOs, to ensure that school-going children do not play truant and fall prey to illicit activities, including getting trapped as victims of CSEC.

**Constraints**

54. In the absence of relevant data on the issue of trafficking in women and girls, and baseline indicators and studies, it is difficult to gauge the magnitude of the problem for proper redress mechanisms.

55. Even in the event of providing economic and educational alternatives to prostitution, the fact remains that sex workers fall back into prostitution because of lack of support, to sustain their daily livelihoods.

**Achievements**

56. Following the General Elections in June 2005, a leap from 5 per cent to 17.1 per cent representation of women in politics is already an indication of an upward trend. Consequently, advocacy and lobbying being undertaken by Government and civil society organizations will definitely have a positive impact in the next general elections scheduled for 2010.

57. The MWRCDFW had organized a Symposium in the context of IWD 2006 around the theme "Women in Politics" where the issue of an increased participation of women in politics was widely debated. A copy of the recommendations emanating from the Symposium was handed over to the Prime Minister on 8th March 2006. The recommendations focus on, inter alia, "that the Government commits itself to establishing the goal of gender balance in governmental bodies, as well as in public administrative entities, including inter alia, setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action, in all governmental and public administration positions".

58. The NWC has taken the lead to provide capacity-building programmes in self-assertiveness and leadership skills, and to date, 800 women have already benefited from these courses. Women trained will in turn disseminate the information, hence having a multiplying effect for a larger target group.

59. Women in Networking (WIN), a civil society organization, has recently emerged and has as one of its main objectives to act as a lobby group to promote women's participation in decision-making. WIN has also provided training in leadership skills. Those trained are expected to replicate the training at their respective organizations. WIN has recently established a "Women in Politics" mechanism, which will provide an open forum for dialogue.

**Constraints**

60. Since politics has for long been perceived as being a club reserved for men, women have always found it hard to be accommodated within this male-dominated structure. This deeply rooted political culture will undoubtedly require sustained and aggressive campaigns to do away with the perception that women would not be welcomed in their present political structures.

61. Moreover, balancing political and family responsibilities remains one of the key factors that deter women from entering politics.

**Challenges**

62. There is need for aggressive and sustained educational campaigns to encourage women not to be intimidated by the prevailing political culture. The latter should be made more gender responsive.

63. In response to the Committee's recommendation at paragraphs 22 and 23 to work towards an increase in the representation of women in politics and decision-making, Government has, in various international and regional forums, reiterated its commitment to addressing the equal representation and access of women in these instances.

64. Civic Education campaigns should be organized at the national level, focusing on the fact that women too have the attributes and potential to be effective politicians.

65. A parliamentary gender caucus should be set up whereby both women and men parliamentarians discuss and dialogue on issues pertaining to gender equality.

66. In relation to the concern of the CEDAW Committee on illiteracy rates and the disparity among women in the rural and urban areas at paragraphs 24/25, Government has, since the introduction of free education in 1975, always promoted the importance of access to education for all, irrespective of locality.

#### **Achievements**

67. The National Women's Council (NWC), has, through its Adult Literacy Programme, introduced in 1986, equipped women with basic literacy and numeracy skills. This programme is presently being offered in 36 localities (including rural areas) around the island reaching out to an average number of 600 women yearly.

68. The NWC, has since September 2008, introduced a new module in its existing Adult Literacy Syllabus, pertaining to adult literacy for entrepreneurship development. This measure is particularly to enhance the self-assertiveness of women who wish to engage in productive work, including income-generating activities.

#### **Constraints**

69. The NWC is aware of the fact that literacy programmes are being run during office hours, thus incurring the risk of excluding working women, who may be in need of functional literacy and numeracy skills.

#### **Challenges**

70. Expanding access to the literacy and numeracy skills programmes for women at their place of work.

Employers are concerned about increasing production, rather than accommodating skills enhancement programmes – hence the need to strategize on service delivery.

71. The Committee has raised concern about the precarious situation of women in employment and the recommendations made thereto are being presently addressed by relevant institutions.

#### **Achievements**

72. Following the 2006/2007 Budget Speech, the Government launched the Empowerment Programme (EP) with the aim of securing viable employment, encouraging entrepreneurship, improving competitiveness, providing transitional support to low-income households for housing, and enhancing education for vulnerable children. The Empowerment Programme is intended to help Mauritius compete in an increasingly globalized market environment, to democratize the economy by broadening the circle of opportunities to each citizen, create employment for women and men, and enhance social justice.

73. One of the components of the EP, the Special Programme for Unemployed Women (SPUW), aims at mobilizing unemployed women and those retrenched as a result of

industrial restructuring, especially in the textile and sugar sectors. In line with its engagement in the area of gender equality and gender mainstreaming, UNDP has been supporting the SPUW through the project “Empowerment of Women through Capacity Building, Re-skilling and Entrepreneurship”.

74. A Project Management Unit (PMU) was set up to accompany groups of women to facilitate access to employment and to assist them start small businesses. Capacity-building, networking, work placement, and the identification and implementation of feasible small business projects have been instrumental to helping these women improve their socio-economic situation. To date, the project, commonly called “Women Empowerment Programme” (WEP), has trained more than five hundred women, has facilitated the creation of some eighteen small businesses and has placed about 60 women in varied jobs.

75. With regard to narrowing/closing the wage gap between men and women, the National Remuneration Board in 2008 revised the wage gap related to field-crop and orchard workers, as well as livestock workers, hence eliminating gender-based prescribed orders.

76. As per the recommendations of the Committee with regard to maternity benefits for female employees, the newly enacted Employment Rights Act (2008) does not limit the number of confinements to three, subject to the worker reckoning at least 12 months’ continuous service with the employer. The Employment Rights Act (ERA) has introduced the payment of a maternity allowance which applies to all confinements. It is to be noted that the Employment’s Rights Act 2008 will not apply to workers covered by a remuneration order in respect of this issue. Female workers whose terms and conditions of work are governed by remuneration orders are presently entitled to maternity leave for all confinements.

77. The new Employment Rights Act has introduced five continuous working days’ paid paternity leave to all male workers reckoning more than 12 months’ continuous employment on the birth of his child without any limit on the number of children. This provision applies to all sectors of employment, including those already covered by a remuneration order.

### **Constraints**

78. With regard to upgrading and reskilling programmes, it is often difficult for women to register for training programmes, as their immediate need is to find an income to sustain their livelihoods.

79. Another constraint affecting the ability of those retrenched to be reinserted in the labour market, according to a Study undertaken by the Ministry of Labour, Industrial Relations and Employment, relate to the generally old age and low educational profile of women.

80. As for narrowing the wage differential in the private sector, it is to be pointed out that the Private sector determines wages as prescribed by the National Remuneration Board (NRB) and does not necessarily tow the line with the public sector.

81. The five days’ duration of paternity leave does not adequately respond to the strategic needs of women during post delivery weeks.

### **Challenges**

82. In view of the prevailing financial crisis and the likeliness of job losses, a major challenge remains the intensification of campaigns to sensitize female workers on the need to diversify on economic activities and their skills, whilst exploring new avenues for employability.

83. A consensus on the issue of an increased informal sector and its implications should be reflected upon.

84. With regard to the CEDAW Committee concern (paras. 28 and 29) about the weak enforcement of labour laws by the Sex Discrimination Division (SDD) of the Human Rights Commission, it is to be pointed out that enquiries into complaints sent to the Sex Discrimination Division of the National Human Rights Commission are informal in nature and efforts are made to favour settlement of cases through conciliation. However, if the conciliation process does not work out and if the complaint constitutes a clear breach of the Sex Discrimination Act, the Division refers the matter to the Director of Public Prosecution, who decides whether the matter should be prosecuted before a court of law.

85. The CEDAW Committee has expressed concern (paras. 30/31) with regard to the rising incidence of teenage pregnancy and its health-related effects as well as its impacts on girls' education.

### Achievements

86. The fertility rate amongst adolescents in Mauritius has reduced from 107.3 in the 1960s to 34.2 in 2007, whilst the total fertility rate was 1.70 and 1.66 respectively for 2007 and 2008. Maternal mortality rate stood at 0.37 for the year 2007, with six maternal deaths in Mauritius.

### Maternal mortality statistics (per 100 live births 2006–2008)

Year	Mauritius		Rodrigues		Republic of Mauritius	
	No. of maternal deaths	Maternal mortality ratio	No. of maternal deaths	Maternal mortality ratio	No. of maternal deaths	Maternal mortality ratio
2006	3	0.18	-	-	3	0.18
2007	6	0.37	-	-	6	0.37
2008	6	0.38	-	-	6	0.38

87. In the light of the provisions of the Sex Discrimination Act, girls who are pregnant cannot be discriminated against and sent away from school on grounds of that pregnancy only.

88. NGOs working with the MWRCDFW, that are prominently active in the field, include the Mauritius Family Planning and Welfare Association (MFPWA), Action Familiale (AF) and the Mouvement d'Aide à la Maternité (MAM). Programmes are also funded by the UNFPA.

89. The MFPWA carries out advocacy, IEC campaigns, conduct training, demonstration of innovative approaches to family planning and birth control and also undertakes research thereon. It has a clinic, where women can go for free advice and purchase birth control pills/condoms etc. for a nominal fee. Similarly, other programmes conducted that reinforce efforts of the Government on sexual and reproductive health measures, including youth education for youth and girls, include family life education in primary/secondary schools, educational sessions for women, men, youths in the community; counselling and hotline services; organization of seminars/workshops and pre-marital counselling programmes.

90. Action Familiale offers a natural approach to fertility control. It has an action plan conducted on three levels, including communication with the public; training of instructors, and dialogue with young people.



91. The Mouvement d'Aide à la Maternité (MAM) has as objectives the promotion of right to life, and raising public awareness of the problems associated with unwanted pregnancies and the need for solidarity with the mothers. MAM works at three levels, to provide support for future mothers during and after pregnancy; undertake sensitization sessions for prevention of early pregnancy in the education of young people, to also provide information on the sexuality of accountability for the young in their relationships; and working in coordination with other similar associations. It also conducts training for adolescents to be informed on their bodies and the results of having active sex lives.

92. With regard to the Committee's concern on reviewing abortion laws, dialogue opened up in 2009, spurring national debates on decriminalization of abortion. The Government views this as a first step in analysis of the issue.

93. In reply to the comments of the Committee with regard to access to quality services, a large fraction of the national budget is spent on provision of free public health services through a network of eight decentralized public hospitals, and community and health centres. Supplementing the public health system are a dozen private clinics.

94. With regard to the concerns raised by the Committee on the full implementation of the National Strategic Plan to Combat Sexually Transmitted Diseases and HIV/AIDS, the HIV and AIDS Act 2006 was enacted to provide for measures for the control and prevention of the propagation of HIV and AIDS by way of making available HIV testing facilities; the registration of those facilities; the testing of donated blood; the counselling of persons affected with HIV or AIDS; a system of syringe and needle exchange.

95. The Prime Minister, who is also the Chairperson of the National AIDS Committee, has reiterated his full commitment in April 2009 to oversee the implementation of the Strategic Plan. The MWRCDFW is represented on the Committee and ensures that gender equality is fully mainstreamed in all interventions with a view to decreasing the infection rates of women. The strategies adopted by the MWRCDFW have been mainly, in terms of provision of sustained information education and communication (IEC) campaigns to young girls and women at grassroots level so that they can gain regular access to information through seminars, talks and debates.

### **Constraints**

96. At present, sex-disaggregated data only represents reported cases of teenage pregnancies, abortion and HIV/AIDS.

The lack of data collected with a holistic approach remains a major constraint. Targeting of sex workers remains a constraint.

### **Challenges**

97. The availability of data on such sensitive issues remains a challenge for evidence-based policy formulation. With regard to decriminalization of abortion, the Government will need to take into consideration the views of all partners of society. Mauritius being multi-ethnic, the Council of Religion, practical and strategic needs of women, youths and other stakeholders need to be taken into consideration before any decisions are enforced.

98. With the tight economic situation, prioritization of actions towards HIV/AIDS will have to be undertaken.

99. The Committee has expressed the necessity to speed up the establishment of the Family Court (paras. 32–33).

### **Achievement**

100. Since 2007, two Judges of the Supreme Court have been exclusively hearing family law cases, including divorce and child custody cases.

101. A Family Court, fully operational since 2008 has been set up. It hears family matters everyday, and is presided over by two puisne Judges.

### **Constraints**

102. It is felt that the lack of trained personnel on family matters may hinder the full functioning of the Court.

103. There is no specialization in family law at the Bar and in the legal profession generally.

### **Challenges**

104. The younger wave of lawyers needs to be motivated to take up family law matters in a dedicated manner.

Given the rise in marriage dissolution cases, it would be important to have recourse to mediation with the assistance of psychologists and other experts.

105. The Government of Mauritius ratified the Optional Protocol to CEDAW in October 2008.

106. The Optional Protocol will provide a gateway for filing of complaints from individuals. However, it is to be noted that recurrence of communication does not remain solely under the ambit of the lead agency. The lead agency would, however, strive to promote and protect the rights of women.

107. The CEDAW Committee has emphasized the need to mainstream gender for the full achievement of the Millennium Development Goals (para. 36).

### **Achievements**

108. With a shift in approach from Women in Development (WID) to Gender and Development (GAD), in June 2008, the Women's Unit of the MWRCDFW has been restyled into the Gender Unit. Objectives of the Gender Unit are to empower women on the social, political and economic front; and act as a policymaking and monitoring body to mainstream gender into all programmes of the Government.

109. The 2005 National Gender Policy has been revised into an overarching National Gender Policy Framework. The new framework has been developed taking into consideration the changing policy environment and changing policy processes which include current processes of globalization and liberalization that are transforming the way economic, social and cultural life is organized in Mauritius and the far-reaching policy and institutional reforms such as Programme Based Budgeting (PBB) and the Performance Management System (PMS) of the Government.

110. The revised policy document is, therefore, drafted in line with engendering PBB initiatives and is an overarching framework which provides the guiding principles of the policy; the broad operational strategies; and the institutional arrangements for achieving gender equality.

111. The NGPF stipulates that each Ministry/Department and Agency should derive therefrom its own organization-specific gender policy which will guide their strategic framework for programmes and budgeting.

112. In this context, as part of strategic budgeting initiatives, key entry points for engendering of the programme based budgeting (PBB) exercise have been identified with pilot Ministries. These include, *inter alia*, the preparation with Ministries of their respective gender policies and sector strategies in line with the NGPF and PBB.

113. Pilot Ministries have been provided with technical gender expertise to guide them in the process of aligning budgets to sectoral strategies within the context of the NGPF and international commitments made towards a human rights-based and gendered approach to development.

114. To date the following four Pilot Ministries have formulated their sectoral gender policies with the technical assistance of the MWRCDFW, an international consultant on gender and the UNDP: (i) Education, Culture and Human Resources, (ii) Youth and Sports, (iii) Labour and Industrial Relations and (iv) Employment.

115. Given the success of the first pilot phase, UNDP has extended its technical and financial support to four additional Ministries to formulate their sectoral gender policies; these include the Ministries of Finance and Economic Empowerment; Social Security, National Solidarity and Senior Citizens Welfare and Reform Institutions; Agro Industry, Food production and Security; and Civil Service and Administrative Reforms.

### **Constraints**

116. Lack of gender expertise in the field of gender responsive budgeting remains a constraint.

### **Challenges**

117. Capacity-building of technical officers of the lead agency and sectoral Ministries remains a priority to spearhead gender mainstreaming at the policy and programme levels.

The commitment of high level officers is needed for full implementation of the NGPF.

118. Government is scrutinizing the issue in connection with the Committee's recommendation to adhere to the International Convention on the Protection of the rights of All Migrant Workers and Members of Their Families (para. 37). Government strives to ensure that the rights of all citizens and migrants are respected.

### **Constraint**

119. In view of its socio-economic implications, this remains a policy decision that needs to be addressed in a holistic manner.

### **Challenge**

120. Given the number of migrant workers in the country, Government needs sufficient resources to ensure that regulations are enforced by employers.

121. With regard to the Committee's recommendation (para. 38) to disseminate widely human rights materials, same have been taken into consideration.

### **Achievement**

122. The concluding comments have been distributed to all stakeholders. Articles pertaining to the Convention, its Optional Protocol, the Beijing Declaration and Platform for Action and the outcome of the United Nations twenty-third special session of the General Assembly have also been disseminated with a view to accelerating de jure and de facto gender equality.

**Constraint**

123. Redress and implementation, *in toto*, of recommendations contained in the Committee's concluding comments remain policy decisions.

**Challenges**

124. Policies adopted by the Government need to be rethought to comply with international standards and recommendations.

125. The MWRCDFW should initiate public debates and seek the views of all stakeholders on issues such as abortion and personal laws.

### **III. Specific measures for the application of the provisions of the articles of the Convention**

**Article 1****Definition of discrimination against women****Definition of discrimination against women and obligations to eliminate discrimination**

126. The third, fourth and fifth periodic reports (2004) had aptly elaborated on measures undertaken by the Government of the Republic of Mauritius to address the issue of discrimination including its obligations to that effect. The Committee in its concluding comments had, in fact, expressed its appreciation on progress made thereon at paragraph 6 of document CEDAW/C/MAR/CO/5 This Section provides progress made in regard to Article 1 since the consideration of the third, fourth and fifth periodic reports of Mauritius.

**Achievements**

127. Section 16 of the Constitution provides that no law shall make any provision that is discriminatory, either of itself or in its effect. The term "discriminatory" means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour, creed or sex whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages that are not accorded to persons of another such description. Section 17 of the Constitution provides that a citizen who alleges that his right under section 16 of the Constitution is being or is likely to be contravened, may apply to the Supreme Court for redress.

**Enactment of the Equal Opportunities Act (2008)**

128. The Sex Discrimination Act (2002), which came into force on 08 March 2003 and provided for the elimination of gender discrimination and sexual harassment in certain areas of public activity has been repealed and incorporated into the Equal Opportunities Act (2008). The Equal Opportunities Act provides for equal access to opportunities as it incorporates all the different grounds of discrimination covered under section 3 and 16 of the Constitution as well as age, pregnancy, mental and physical disability and sexual orientation in areas dealing with employment, education, the provision of accommodation, goods, services and other facilities, sports, the disposal of immovable property, admission to private clubs and premises open to the public. The Act also provides for the establishment of an Equal Opportunities Commission and an Equal Opportunities Tribunal.

### **Amendments to the Protection from Domestic Violence Act (PDVA)**

129. In 2004, certain amendments were brought to the Protection from Domestic Violence Act (PDVA), 1997. These amendments aim at:

- Covering cases of domestic violence committed by any person living under the same roof
- Increasing the time limit before a notice is served from 7 days to 14 days
- Increasing the penalty applicable in the case of offences; and providing for counselling

130. In line with Government Programme 2005–2010, the Protection from Domestic Violence Act was further amended in December 2007 with a view to providing better services to victims of domestic violence and strengthening the enforcement mechanism of the Act.

131. The Amendment Act makes provision for the following:

- Provision of alimony.
- Increase in penalty.
- Counselling mandatory under Magistrate order under exceptional cases. The Court will take into consideration the circumstances of the case, the nature of the offence, the character, antecedents, mental and psychological conditions, age and health and home surroundings of the offender.

132. Section 13 of the said Act provides for harsher penalties. However, the Protection from Domestic Violence (Amendment) Act (Act 23 of 2007) has not yet been proclaimed.

### **Constraints**

133. In spite of the enactment of various pieces of legislation towards a gender-responsive and all-inclusive transformation, attitudinal change for their full implementation remains a major constraint.

### **Challenges**

134. Strategic partnerships at the level of government, parastatal bodies, media institutions, the private sector and civil society organizations should act as watchdogs and facilitators to ensure the implementation of the full realization of the principles set forth in legislation to address discrimination against women.

## **Article 2**

### **Obligations to eliminate discrimination**

135. States parties undertake:

**(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means the practical realization of this principle.**

136. The concluding comments of the Committee in paragraph 12 express its concerns about section 16 (4) (c) of the Constitution on personal status law.

**Civil Status Act (1981)**

137. Following the amendments brought to the Civil Status Act, a Muslim Family Council (MFC) was set up under Section 29 in 1990. Section 26 of the same Act gives the MFC authority to celebrate religious marriage with civil effect and Section 30(a) provides for celebration in accordance with Muslim rites. As mentioned in the last CEDAW report for Mauritius, Government has set up a Commission to look into existing rules governing marriages and dissolution of marriages celebrated in accordance with Muslim rites as well as issues on children and succession rights. However, given the various schools of thoughts among Muslims in the country, a consensus could not be reached.

**Constraints**

138. The reform effected to our law on marriage since 1982 aims primarily at providing for a single marriage system for all except persons of the Muslim faith who may opt to marry in accordance with Muslim rites. However, any religious marriage ceremony performed in relation to Muslims who do not wish to be governed by the civil law is subject to articles 228-1 to 228-10 of the Code Napoléon. In the absence of any codification of Muslim law, Muslim religious marriage is governed by Muslim religious customary rules. Although the judge in chambers is endowed with powers to decide on litigious issues arising between spouses of a Muslim religious marriage, mainly on the question of divorce, yet he does not have jurisdiction to pass judgment without consulting the appropriate religious authority.

139. But in case government policy tends towards not interfering in matters relating to religious, it would then be advisable to set up a Muslim jurist commission to deal with matters arising from Muslim religious marriage celebrated in accordance with Muslim rites.

**Challenges**

140. All ethnic communities living in the country should be governed by the same provisions and all citizens should be allowed to practise their religious faith. However, given the difficulty of reaching a consensus in the Muslim community itself, conciliation between the laws of the Republic of Mauritius and what the sharia says is difficult.

141. In order to preserve the social fabric and prevent social upheaval, Government remains cautious about issues related to religious law, and the lead agency acknowledges that informed policy decisions will have to be taken by Government in that regard.

**(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women.**

142. Please refer to comments under Article 1.

143. As mentioned in the previous report, the Sex Discrimination Act (2002) incorporates most of the CEDAW provisions. The concluding remarks of the Committee at paragraph 19 requests the State party to enact legislation criminalizing marital rape and to put in place effective monitoring and evaluation mechanisms so as to ensure the effectiveness of measures taken to address all forms of violence against women.

144. There is no specific offence of marital rape but section 249 of the Criminal Code criminalizes the offence of rape. However, express reference to this offence has been made in the Sexual Offence Bill which is presently being considered by a Select Committee of the National Assembly.

145. The MWRCDFW has commissioned:

- An audit report on the existing services and care provided in Family Support Bureaux and Shelters. The report, which is also meant to address the policy on the functioning of shelters for battered women, is due in 2009.
- A study on the nature and extent of domestic violence in the country. The report is due in 2009.

### Constraints

146. Given the fact that different ethnic communities live together in the country; the views of religious organizations need to be mainstreamed into gender issues through an open dialogue/platform.

147. Capacity-building of NGOs to deal with sensitive issues such as domestic violence remains a constraint.

### Challenges

148. Collaborating with the Council of Religion and engaging it to carry out advocacy with its members to address the issue of domestic violence. Similarly, empowerment of NGOs to advocate on domestic violence and marital rape should be a priority issue.

149. The existence of the welfare system, which promotes the economic and social rights of all citizens is guaranteed by legislation such as the Education Act, which makes education compulsory up to the age of 16, the Social Aid Act, which caters for women in need in cases of conditions of poverty, the provision of free health services and the provision of low-cost housing for those in poverty. Through the National Empowerment Foundation, the State is making additional provisions such as a stimulus package (to be dealt with in more detail later) for the needs of women.

### Challenges

150. A Freedom of Information Act should be adopted by the National Assembly to ensure that aggrieved parties have the required information to file a case under the EOA.

**(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.**

151. In relation to the comment on taking all appropriate measures to eliminate discrimination against women by any person, organization or enterprise, the NGPF has also been drafted in line with the reforms of the Government towards programme-based budgeting and performance management, with a focus on gender-sensitive outcomes. The NGPF provides the broad operational and institutional framework for achieving gender equality. It calls upon partnerships at different levels, namely, with the public, private, media and civil society organizations. In order to formulate sectoral gender policies, the NGPF emphasizes the importance of situational gender analysis (substantive and real conditions) and use of gender-sensitive indicators (gender impact assessment) in measuring progress made towards the status of gender equality.

152. Since 2005, with a view to assessing the status of equality between men and women, the Central Statistics Office in collaboration with the MWRCDFW has produced an annual report entitled "Statistics in Mauritius: A Gender Approach". Sex-disaggregated data on the age groups, health issues, education, employment, disability, children, social benefits and data collected at the Family Support Bureau are available. Together with the Gender Information System operational in July 2009, this publication provides an update on the status of equality between women and men on various issues.

**Constraint**

153. Limited capacity on gender analysis of sex-disaggregated data remains a constraint.

**Challenge**

154. Actions need to be monitored through performance, proxy process and outcome indicators to monitor progress made to achieve outputs and outcomes.

**(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.**

155. Part V of the Equal Opportunities Act (EOA) also deals with sexual harassment. Under the EOA, two institutions, the Equal Opportunities Division and the Equal Opportunities Tribunal, will be created. The setting up of these two instances will provide a fast track for dealing with sexual harassment in the event that an investigation establishes that there has been sexual harassment. This will be possible since the Division will be able to refer the outcome of its implementation directly to the Director of Public Prosecutions (DPP).

156. The previous periodic report mentions that following the recommendations of the Task Force Report (2001) which specify various areas of de facto and de jure discrimination, the Sex Discrimination Bill was enacted in 2002.

157. The Legal Aid Act is currently in the process of being reviewed. As at 1 August 2009, Cabinet has taken note of the proposals made in the Green Paper on Legal Aid in Mauritius prepared by a working committee in the context of the review of the legal aid system in Mauritius. The Green Paper addresses amongst other issues the new concept of legal aid, the application of legal aid, the eligibility test, the expansion and extension of legal aid services, the establishment of a legal aid board and corporate social responsibility.

158. A civil society organization (Media Watch – GEMSA) has formulated a Gender Action Plan whereby areas of intervention have been identified for the short, medium and long term. The implementation of the Plan has started in the District Councils of the country. The Action plan aims to reach out to decision makers (councillors) at grassroots level. The training of trainers workshop has been held in Mauritius and South Africa. In line with the Action Plan, workshops and sensitization campaigns have been held in villages at grassroots level.

**Constraints**

159. Gender Focal Points (GFPs) are not yet fully mainstreamed in respective Ministries and the occupational mobility within Ministries hampers the sustainability of actions undertaken.

**Challenge**

160. The institutionalization of the GFP mechanism as part of the budget sector team of sectoral Ministry remains a challenge, however, is in process, given the shift towards engendering of the PBB of the Government.

**Article 3****The development and advancement of women**

161. The Government of Mauritius is fully committed to the ideals of equality, respect of human rights and social justice as enshrined in the Declaration of Human Rights. The fact



that Mauritius is signatory to CEDAW and its Optional Protocol as well as other international and regional instruments such as the Beijing Platform for Action and the MDGs bears testimony to its commitment to the development and advancement of women.

162. With the setting up of the Ministry of Women's Affairs in 1982, a new era of advocacy for women began and since then the MWRCDFW has been instrumental in spearheading both policy and legislative measures.

163. At policy level a National Gender Policy Framework (NGPF) was formulated in 2008 as a generic policy document, drafted in line with programme-based budgeting and performance management initiatives of the Government. The NGPF calls upon various entities to take ownership of the process of designing their own respective gender policies using a participatory approach. It further provides the broad operational strategies and institutional arrangements for achieving gender equality. The NGPF stands guided by principles of human rights, human-centred development, partnership and accountability.

#### **Sectoral gender policies**

164. In a bid to mainstream gender in sectoral policies, the MWRCDFW as the NGM has provided technical assistance to Ministries, namely the Ministries of Youth and Sports, Education, Labour and Industrial Relations, Social Security, Civil Service Affairs, Ministry of Finance and Economic Empowerment and Ministry of Agro Industry, Food Production and Security to formulate their gender policies. These policies encourage the different Ministries to develop a strategic framework that take into account the development issues and challenges from a gender perspective.

165. In the same vein, the NGM has assisted seven Ministries in engendering some of their programme-based budgeting (PBB), using gender-sensitive indicators to assess the impact of programmes on both men and women.

#### **Promotion of gender equality: Women Centres as empowerment centres**

166. The specific role of Women Centres is to support the social, economic and political empowerment of women. There has been an increase in Women Centres over the years, from 2 in 1982 to 15 to date; the latest concept being that of a Women Empowerment Centre whereby one complex houses both a women centre and a centre for Women Entrepreneurship Development.

167. Concurrently, a National Women Development Centre (NWDC) set up in 2007 offers various facilities to women namely, a market centre for women entrepreneurs to sell their products; ten business incubators providing the latter with space, technical support and marketing facilities. The NWDC also comprises a home economics resource centre, a training room, a keep fit centre, an information technology (IT) corner, a family support bureau – all meant to further empower women. Similarly, a women empowerment centre housing a women centre and a centre for women entrepreneurs has been operational at Triolet since March 2009, where twelve incubatees have been offered business facilities.

#### **Services/facilities offered at Women Centres**

168. Women Centres have been providing opportunities to women from different social groups and women's associations to explore the training facilities, build their knowledge, and benefit from awareness and cultural activities whilst building their self-confidence and self esteem to overcome disempowerment, and engage in mainstream social, economic and political activity.

**Participatory Advisory Committees (PACs)**

169. Since November 2007, the MWRCDFW with the support of the National Productivity and Competitiveness Council (NPCC) has set up Participatory Advisory Committees (PACs) in its 15 Women Centres. The guiding philosophy of PACs is to empower women by putting them at the heart of Community Development. The PACs provide a platform to forge partnerships with all key stakeholders to identify priority areas of interventions that need to be addressed to enhance the status of women. PACs act as an interface between the NGM and the Community by adopting a bottom-up approach to development, taking into account the practical and strategic needs of women. To that end, a process of empowerment, focusing on capacity-building has been adopted to enable the PAC members to reflect on priority areas of intervention. An Action Plan (2009–2010) has been formulated and comprises eight priority areas, namely economic empowerment, social, environmental, legal and health issues, education and training as well as sports/physical activities. These will form the basis for implementing projects/activities to improve the livelihoods of women.

**Economic empowerment of women**

170. In an attempt to empower a larger number of women to engage in entrepreneurship development, the National Women Entrepreneur Council (NWECC) has intensified its activities over the past three years. Some of the achievements are as follows.

171. The NWECC has witnessed an increase in its membership from 950 in 2005 to 1,900 to date. Members include both individuals and associations operating in various fields like handicraft, textile, agriculture and services.

172. Women Entrepreneur Development Programmes have been organized in 14 regions to enhance women entrepreneurship and improve competitiveness of women-owned businesses. Modules imparted to women entrepreneurs included business planning, marketing, production techniques, finance and labour laws. To date some 800 women have benefited from this programme.

173. Short Skills Development Programmes of two days duration have been provided to 320 women in areas like human resource management, finance and marketing aimed at improving functional and managerial skills of women entrepreneurs.

174. Forty women entrepreneurs involved in pickle making followed a training programme to acquire new techniques on skills to upgrade quality of products.

175. Six fairs have been organized by the NWECC between December 2006 to December 2008, to increase awareness and sales of products manufactured by women entrepreneurs. Some 300 women entrepreneurs participated in the fairs.

176. Fourteen women entrepreneurs were provided six acres of land to produce and process vegetables. These women have set up a cooperative in agro-industry and have benefited from training, business planning and pre-starter support by the NWECC in collaboration with AREU.

**Capacity-building programme for employability**

177. In the face of the global crisis whereby several factories have been closed, women have been laid off and such situations may lead to a feminization of poverty and/or pushing women back to their traditional roles. The Government of Mauritius has put in place a series of measures aimed at mitigating the effects of the crisis. To that effect the Human Resource Development Council (HRDC) and the National Empowerment Foundation (NEF) have been established and one of their main objectives is capacity-building for employability. As a Unit of the NEF, the Special Programme for Unemployed Women

(SPUW) has been set up to promote access to technical skills, support for business development and access to productive resources (funding, equipment etc.). However, the staff working at the NEF is limited to only four to address the needs of some 12,000 retrenched women. The NEF consequently encourages women to accede to all possible training and employment opportunities. In collaboration with other partners at the national level, women are being encouraged to enter non-traditional sectors of activities. To that effect, the NEF is actively involved in the sensitization of employers in order to take women on board for training and internships. NEF is also actively promoting non-discrimination on the basis of sex in the employment sector.

178. Moreover, an “espace des métiers” is being set up in order to counsel all unemployed individuals, including women who are laid off. Under the NEF, a “placement for training” programme has also been established with a view to encouraging employers to offer training and on-the-job placement to unemployed women above the age of 40, and workers who have been laid off. Employers are refunded 75 per cent of the training costs and of the stipends of trainees in these categories, as compared to 50 per cent in other categories. This measure is deemed essential as employers are reluctant to offer employment to unemployed women above 40, or who have been laid off. Under the placement for training programme, a special indicator to monitor the performance is the number and percentage of unemployed women successfully placed and trained. From January 2007 to April 2009, 2,367 women have been trained and placed, out of a total of 16,196. Another area where NEF has intervened is the provision of capacity-building in women’s prisons. Women were formerly discriminated against as there was no such support provided to women detainees, reducing the possibilities of socio-economic integration after they have served their sentence. A pilot programme has been connected with professional trainers in the fields of hairdressing, beauty care and information technology. To date, 42 women detainees have been trained, rooms to host training activities have been identified, equipment for capacity-building has been provided to the women prisons. It is now proposed to replicate this process.

179. In the same vein, the MWRCDFW has provided training to some sixty female retrenched workers enabling them to set up income-generating activities. The latter were also provided with relevant equipment for that purpose.

### **Projects of the National Women’s Council**

180. The National Women’s Council complements the projects/programmes/activities of the Gender Unit of the MWRCDFW, particularly, through its outreach programme for the benefit of members of some 1,200 women’s associations. The focus of the intervention of the NWC is to inform women of NGM policies, services and facilities which they can avail of. The field officers of NWC act as motivators vis-à-vis the women’s associations to ensure that members are kept abreast of updated information.

181. The Adult Literacy Programme, launched in 1989, has reached out to some 8,000 women by providing them with basic literacy and numeracy skills. A new module entitled “Adult Literacy for Entrepreneurship Development” has been introduced since September 2008 aimed at providing potential women entrepreneurs with relevant skills to be applied in their daily activities. Leadership and self-assertiveness courses are innovative activities implemented since 2006.

### **Constraints**

182. In spite of significant progress made towards the advancement and development of women, there remain various issues that need to be addressed and these include, inter alia:

- The feminization of poverty needs to be addressed from a multisectoral approach. Even though Government has put in place various mechanisms/programmes to cater for the poor, the poorest of the poor do not necessarily explore these, as they are more concerned with their daily needs.
- The low representation of women in decision-making and politics limits their intervention in their strategic needs.
- The NGM has so far been working more closely with grassroots women, and its actions towards working women have been limited.
- The absence of a vibrant women's movement contributes to women's voices often not being heard.

### **Challenges**

183. In order to address the above-mentioned concerns, the NGM should be able to enlarge its scope of operation. For instance, the NGM is in the process of repealing the NWC Act (1985) and come up with a new Act so that it is more responsive to the emerging needs of women.

184. One of the salient features of the new act would be to have as its members of the NWC, all women's organizations that have so far been left out because the present membership of the NWC has so far comprised grassroots women as its affiliates. The rationale of the new act is to apply a paradigm shift from a "Women in Development" to a "Gender and Development" approach. The overall goal is to achieve gender equality and women's empowerment in all sectors of development in the island of Mauritius. The new act will bring about an impetus leading to a vibrant women's movement that would advocate the promotion of gender equality.

### **Article 4**

#### **Acceleration of equality between men and women**

185. The various achievements highlighted in Article 3 demonstrate the political will of Government to sustain its actions for enhancing the status of women. Mauritius has so far made substantial progress in the enhancement of women's empowerment.

186. Government has taken bold initiatives by investing in health, education institutional mechanisms, economic empowerment and poverty alleviation programmes which have been instrumental to the acceleration of equality between men and women to ensure that all international and regional commitments pertaining to women's empowerment and the promotion of gender equality were effectively transformed into policies and programmes and that these did not remain just declarations of intent.

#### **Achievements**

187. Major achievements to accelerate equality between men and women have been two-pronged, namely at the legislative and policy level. For instance, the landmarks related to enactment of legislation include the Protection from Domestic Violence Act (1997) and its subsequent amendments in 2004 and 2007, the Sex Discrimination Act (2002), the Equal Opportunities Act (2008) and the Child Protection Act (1994), amended in 2005 and 2008 respectively, which protects, *inter alia*, the girl child.

188. With regard to policy level, the National Gender Policy of 2005 has been revisited to make it more responsive to the present challenges in the context of globalization and trade liberalization.

189. The new National Policy Gender Framework provides clear signals to all stakeholders that achieving gender equality is an objective integral to all sectors of national activity, in line with national values and international commitments including CEDAW. It provides a philosophical framework, general guiding principles, values, norms of conduct and standards to attain while adopting a gender perspective in order to achieve gender equality. In this sense, it also acts as a handbook and provides the tools to justify and also apply policy. To date, four Ministries (Youth and Sports, Labour and Industrial Relations, Education, Arts and Culture as well as the four units of the Ministry of Women's Rights, Child Development and Family Welfare) have formulated their respective gender policies.

### **Constraints**

190. Whilst legal and policy frameworks are in place, there are still various factors that hinder the realization of gender equality and these are:

- The embeddedness of patriarchy in the Mauritian society whereby prevailing norms and cultures act as barriers to the promotion of gender equality
- Lack of know-how and expertise at institutional levels resulting in poor implementation of gender-sensitive policies, projects and activities
- Gender mainstreaming being conceived as an “add-on” to the mandates of Ministries/Departments, resulting in low priority of intervention on Ministries’ agendas
- Budgetary constraints that limit investing in capacity-building of both senior administrative and technical public officers

### **Challenges**

191. In order to address the above, there is dire need to invest in aggressive awareness campaigns on the gender concept at national level targeting the public at large, aimed at demystifying the gender concept. It is imperative that the top policy makers be sensitized so that all prevailing gender gaps at policy level be addressed in a holistic manner. One of the major challenges to that effect, is the establishment of a Parliamentary Gender Caucus at national level as this mechanism is essential to push forward the gender agenda at the highest level of Parliament that will have a trickle-down effect at the lower echelons. One of the main objectives of the caucus would be to motivate Members of the National Assembly to strategize to influence legislative procedures, policymaking and planning decisions to be gender sensitive.

192. Budgetary allocations should be gender responsive to ensure that adequate funds are injected to address gender disparities in all sectors of development.

193. The support of international donor agencies should be enlisted and the NGM needs to advocate systematically to that effect.

## **Article 5**

### **Sex roles and stereotyping**

194. The lead agency has intensified its campaigns to sensitize the public at large, including at grassroots level, on gender issues. All efforts are made with the relevant authorities to remove sexist advertisements such as billboards. Similarly, in the educational sector, sex stereotyping in text books has been removed. The promotion of women in non-traditional sectors is an example of elimination of stereotypical roles for women and men.

However, sustained sensitization campaigns need to be carried out due to the deeply rooted patriarchal nature of society.

#### **Amendments to the Protection from Domestic Violence Act (PDVA)**

195. Refer to Article 1 (see para. 129).

#### **Institutional mechanism**

##### **Family Welfare and Protection Unit**

196. The Ministry set up a Family Welfare Unit in July 2003. The Family Welfare Unit has a network of six regional offices known as Family Support Bureaux (FSBx).

##### **Institutional support**

197. The six Family Support Bureaux across the island offer the following services free of charge to families and children in distress:

1. Psychological and legal counselling;
2. Assistance to adult victims of domestic violence;
3. Assistance to child victims of abuse; and
4. Individual, couple and mass counselling on all family related problems.

198. The above services are offered in a holistic manner within the same premises and in a decentralized manner with a view to minimizing further trauma to victims of violence and to enable the public to have easier access to the various services.

199. Family Counselling Officers and psychologists provide counselling to clients in strict confidentiality. Legal assistance is also provided by Legal Resource Persons. Family Welfare and Protection Officers (FWPOs) provide assistance to victims of domestic violence in the filing of applications for a protection order at District Court. As for the Child Welfare Officers (CWOs), they extend assistance to child victims of abuse and provide advice to parents on problems relating to ill-treatment of children. Both the FWPO and CWO refer clients to psychologists for counselling purposes.

200. Hotlines are also operational on a 24-hour basis to cater for family related problems and officers intervene promptly to assist victims who call on the hotlines.

##### **Police Family Protection Unit (PFPU)**

201. The Police Family Protection Unit (PFPU) was set up with the special mandate to provide specific services to a category of people who are termed vulnerable within society. This category of people includes women, children and the elderly. They are considered as vulnerable because they are less able to protect themselves when faced with crimes and criminal justice system as compared to other members of the society. Given their position of vulnerability, their rights are more likely to be violated than others. Hence, a special policing approach towards them is required.

202. PFPU also has a special children's corner which has been set up with the help of a child psychologist. It contains items typical of children such as small colourful table and chairs, toys, whiteboard with markers, coloured pencils, drawing books and so on.

##### **National policy paper on the family**

203. The Mauritian economy has undergone structural changes with unprecedented rapidity. Such changes have impacted upon the ways families earn their living and function

thereby presenting tremendous challenges to families who have to adapt to new realities. Certain social realities and developments are also having a significant impact on the ability of families to fulfill their traditional roles, namely:

- (a) Ageing of the population;
- (b) Changes in the role and function of women;
- (c) Changes in the family structure from a traditional extended family to a nuclear family type;
- (d) Erosion of family values;
- (e) Consumerism and globalization; and
- (f) Unemployment and family poverty.

204. These various challenges have prompted the need for a policy paper that addresses the problems faced by families and provide strategies to promote their well-being. In May 2006, the Ministry launched the National Policy Paper on the Family which has the following objectives:

- To identify the problem areas and remedy the obstacles to proper family functioning
- To promote knowledge and understanding of family life including parenting responsibilities
- To render the family institution safe and secure for children and other vulnerable members
- To ensure families have the resources they require to meet the needs of its members
- To make families aware of their social responsibility to the community and for the protection of the environment
- To further, to meet those objectives, the following core policy areas have been identified:
  - Creating a strong foundation and strengthening marriage relationships
  - Balancing work life and family life
  - Promotion of values for family life
  - Enabling families to nurture the young
  - Support services for the family, in such areas as health, housing, social security and welfare etc.

205. A National Action Plan on the Family in the Republic of Mauritius has been prepared to operationalize the strategies of the National Policy Paper on the Family.

#### **National Action Plan to Combat Domestic Violence**

206. A National Action Plan to Combat Domestic Violence which serves as a roadmap to both government institutions and non-governmental bodies in their combat to reduce domestic violence was launched on 23 November 2007 in the context of the commemoration of the International Day against Violence against Women. The National Action Plan spells out five strategic objectives that address mainly areas of concern to combat violence through a multi-partnership approach involving Ministries/Departments, NGOs and civil society.

**Partnership against Domestic Violence Committee**

207. The Partnership against Domestic Violence Committee was set up in 2004 with a view to enlisting the collaboration of all stakeholders to combat domestic violence on a cost-sharing basis. In this respect, two projects have been implemented. These are:

**The setting up of family counselling support unit at the Prisons Department**

208. The objectives of the project are to carry out family therapy and arrange for additional visits to reinforce marital life, promote advocacy for strong family ties and societal values.

**Imparting moral values and personality development for a better family life to avoid domestic violence**

209. The objectives of the project are to create awareness on how to tackle social ills, to eradicate domestic violence and bring social harmony. This project is being spearheaded by Mauritius Council of Social Services (MACOSS).

210. In October 2008, a new call for project proposals was launched and the following projects were approved:

- A Training of Trainers Course and Sensitization Campaign by MACOSS in collaboration with Aryan Women Welfare Association
- Awareness Campaign on Domestic Violence for Police Officers by the Police Department
- A project entitled “Parents Sensitization Programmes in Schools” submitted by the Ministry of Education, Culture and Human Resources has also been approved and would be implemented during the first semester in 2010

**Financial support to address the needs of victims of domestic violence**

211. Under the Families in Distress Scheme, women victims of domestic violence who for various reasons cannot return to their previous residence are temporarily placed at a shelter following an Interim Protection Order. Upon their discharge from the shelter, they are given a one-off allowance of 3,000 rupees to meet their immediate needs. Under the scheme, an allowance of 9,000 rupees is also provided to a spouse whose husband has died following accident, murder, and other tragic circumstances. Under the scheme, an allowance of 9,000 rupees is also payable to widowers (earning an income not exceeding 6,000 rupees) with dependent children and whose spouses were contributing to family income. The widower’s spouse should have died following accident, murder and other tragic circumstances.

212. The MWRCDFW also assists victims of domestic violence by providing services of barristers as and when required at court level. It further refers victims to the Ministry of Social Security for social aid in cases where the victims have been abandoned by their spouses and are faced with financial constraint. Support services to victims include:

- Shelters provided by NGOs and by Government
- Free legal assistance by Government
- Medical assistance through the public hospitals which are free of charge
- Police assistance for protection and removal of goods from residence
- Family counselling
- Placement of children in case the parent cannot take care of them



### **Launching of website on domestic violence**

213. The Ministry in collaboration with the UNDP has launched a website on domestic violence on 23 November 2007. The objectives are as follows:

- Informing public at large on all activities organized by stakeholders on data available on domestic violence
- Setting up a forum for stakeholders to exchange views and provide data
- Providing a snapshot of salient features on legislation, services available, enforcement agencies, trends, glossary of terms and links with other related websites on domestic violence

### **“L’Année 2008: L’Année Sans Violence”**

214. The year 2008 was declared as “L’Année 2008: L’Année Sans Violence”. The campaign was launched by the MWRCDFW in December 2007 to solicit the collaboration of various stakeholders, namely sociocultural organizations, religious groups and NGOs in the fight against violence. To sustain the campaign throughout the year, the MWRCDFW, in collaboration with several stakeholders, conducted talks and workshops both at regional and national levels targeting youth, women and men.

### **Protocol of Assistance**

215. A Protocol of Assistance to Victims of Sexual Assault has been operational since March 2006. The purpose of the Protocol is to ensure prompt and timely assistance to victims of sexual assault. With the application of the Protocol, victims may now call either at the police station (to give the gist of the case) of the region where the incident took place or directly at any of the five regional hospitals. Victims who report cases at the police station are conveyed by the police to the nearest regional hospital. In line with the provisions of the Protocol, the MWRCDFW is informed of the case by the police on Hotline 119 (operational on a 24-hour basis) and arrangements are made for psychological assistance and legal counselling to be provided to the victims. Depending on the seriousness of the case, the psychologist may also visit the victims at the hospital where the case is being handled. Follow-up action is then ensured through the Family Support Bureaux of the Ministry.

### **Other programmes**

#### **Marriage Enrichment Programme, Pre-Marital Counselling and Men as Partners Programme**

216. Several other programmes have been implemented such as the “Marriage Enrichment Programme”, “Pre-Marital Counselling” and “Men as Partners Programme”. The “Marriage Enrichment Programme” aims at strengthening and promoting understanding and respect between married couples.

217. The Pre-marital Counseling Programme is geared towards preparing engaged couples to have a healthy and enriching marriage and family life. The beneficiaries are able to gain valuable insights on issues like managing their finance, communication skills, and conflict management among other topics.

218. The Programme aims to empower engaged couples to build and maintain sound relationships.

219. In line with the objective of the Family Welfare and Protection Unit, the Marriage Enrichment Programme was created in order to reach out to married couples and strengthen and promote understanding and respect between couples.

220. The Ministry conducts these programmes at regional and national level to reach a number of couples.

221. The Men as Partners Programme was launched to create a platform to allow men to discuss freely gender-sensitive issues, increase their knowledge on all matters related to family welfare and women empowerment, create opportunities to overcome gender stereotypes, address specific male issues and make them become supportive partners so as to constructively share responsibility with women at home, at the worksite and in the community.

222. MAP is a gender-sensitive programme based on men's involvement which aims at partnership building, and fosters a concerted effort for the attainment of the highest level of harmony and happiness.

223. The MAP comprises of four components as below:

1. Medical Session
2. Educational Session
3. Individual/Group Counselling
4. Entertain to Educate

224. The project is being implemented with the collaboration of the Mauritius Family Planning and Welfare Association.

#### **The Oasis Association**

225. The Oasis Association also provides opportunities for victims of domestic violence to meet as a group, share their experiences, conduct activities for self-help and welfare with a view to building self-confidence. This process is facilitated with the regular intervention of psychologists through counselling and group therapy. Over and above group therapy, additional activities (such as outdoor activities) are organized to promote positive thinking and attitudes aimed at rehabilitation of such victims.

#### **Evening courses for men and women**

226. Mauritian society is very dynamic and with time, there has been a gradual transformational change in the gender roles. While more and more women are opting for gainful employment outside the home, men are required to contribute more to the day-to-day management of the household including childcare. With this paradigm shift in the traditional roles assigned to men and women, both of them are being empowered to meet the challenges of daily life.

227. To that effect, the Home Economics Section of the Gender Unit of the MWRCDFW has launched evening courses in the fields of healthy eating; pastry and dessert; and floral arrangement for working men and women in August 2008 and its main objective was to empower these target groups with the view to enabling them to better manage their lifestyles through good nutrition, and better home management techniques. The trainees were required to develop their skills and knowledge to enable them to handle a healthier balance between their work and family life. This training programme further assisted trainees to earn additional income through enterprise development.

### **Empowering boys for gender equality**

228. The Home Economic Unit undertakes sensitization programmes targeting boys to sensitize them on issues, such as home management, healthy eating and wise consumerism. This measure aims at moulding their mindsets and preparing them to fulfill their gender roles effectively.

### **Constraints**

229. A data collection mechanism is available through the MWRCDFW and the Police Family Protection Unit. However, there is a need to harmonize the data collection system across agencies so that accurate information can be obtained on the extent of domestic violence nationally. The system would eliminate double counting where women repeatedly seeking assistance across agencies are counted more than once. Provision for the development of a Domestic Violence Information System (DOVIS) has been made in the budgetary submissions of the Ministry for 2012 for the development of the system.

230. Services and prevention efforts to address domestic violence require a sustained funding stream and the main sources of funding is the State. State funding for such initiatives are often inadequate and funding from donors is often project-driven and sometimes not sustained. There is, thus, the need to network with funding agencies such as UNIFEM for support to combat domestic violence.

### **Challenges**

231. The nature and extent of domestic violence is still under investigation and unless this is carried out, it would be difficult to devise appropriate action to address the issue.

232. Employers have to devise protocols at the workplace to assist victims of domestic violence.

233. An appropriate perpetrators' therapy programme geared towards long term-solutions to gender-based violence has to be implemented.

234. The approach to address violence against women has so far been limited to violence occurring within the private domain. The challenge is being addressed by way of the development of a Victim and Abuser Empowerment Policy as stipulated in the National Action to Combat Domestic Violence.

## **Article 6**

### **Exploitation of women**

235. Paragraphs 20 and 21 of the concluding remarks of the CEDAW Committee recommended that the State Party ratifies the Protocol to Prevent, Suppress and Punish Trafficking in Persons. In line with this recommendation and other measures suggested, as mentioned in part 1, the Combating of Trafficking in Persons Act 2009 was passed on 21 April 2009.

236. The MWRCDFW has the mandate to cater for the protection, welfare and development of children – hence in 1995 the setting up of the Child Development Unit (CDU). The Unit is responsible for the enforcement of legislation pertaining to children and for the implementation of policies and programmes pertaining to the survival, development, protection and participation of children. This Unit works closely with other agencies such as the Police Department and provides a 24-hour service through hotlines in six regional centres i.e. Family Support Bureaux.

237. Psychological counselling to children at risk/in distress, as well as to their parents is given and families are disposed with free legal assistance whenever required. A day care/drop-in centre was launched in December 2003 in Bell Village to assist child victims of sexual abuse and exploitation. A hotline 113 has also been made available to the public for the referral of cases of child prostitution.

238. The main areas of intervention of the CDU have included legislation, setting up of institutional mechanism; capacity-building for parents, child-care givers, and other stakeholders, e.g. police, medical social workers, devising IEC programmes and developmental activities as well as projects/programmes for children and also collecting and compiling data regarding child protection concerns e.g. child victims of violence including abuse and neglect.

### **Legislation**

239. The enactment of the Child Protection Act (CPA) of 1994 has helped to establish the guiding principles and procedures for the protection of children. The amendment to the CPA in December 2005 has enlarged the scope of operation with respect to cases of abandonment, abduction and trafficking of children and provide for harsher punishment for those who contravene the law. Tougher penalties have been provided for, in the case of contravention of the provisions of the law. Regulations have been made under the Child Protection Act 1994 to provide for the implementation of specific projects and programmes:

- The Institution for Welfare and Protection of Children Regulations 2000 makes provision for the regulation of the Early Childhood Development Sector (3 months to 3 years) including the provision for the registration of Day Care Centres (DCCs) with the MWRCDFW and for the monitoring of their services/activities.
- The Child Protection Act (Foster Care) Regulations 2002 were made to enable child victims of abuse/neglect/abandonment to be placed with registered foster families and to monitor the process of registration of foster parents and placement of children therewith.
- In accordance with the Hague Convention on the Civil Aspects of International Child Abduction Act, the MWRCDFW, through the Child Development Unit, acts as Central Authority with respect to this issue to secure the prompt return of children wrongfully retained in another State and to ensure that the rights of custody and of access under the law of one contracting State are effectively respected.
- The Ombudsperson for Children Act 2003 was enacted to ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities and individuals.
- The MWRCDFW brought further amendments to the CPA in December 2008 with a view to implementing the Child Mentoring Scheme. The scheme ensures that adolescents with behavioural problems who might become victims of sexual exploitation and child violence are provided with a role model to look up to with the help of trained adult mentors for a one-to-one relationship of emotional reconstruction.
- In April 2009, the Combating of Trafficking in Persons Act 2009 was enacted. The objectives of the Act are to:
  - (a) Give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons;
  - (b) Prevent and combat trafficking in persons; and

- (c) Protect and assist victims if trafficking.

**Various projects/programmes are implemented at the level of CDU**

240. Protocol of Collaboration with the police department to provide immediate assistance as appropriate and protection to children and victims of abuse. Some NGOs are working in close collaboration with the MWRCDFW and the Police Department in several projects.

241. Tardy declaration of births: a fast-track system is in place at the MWRCDFW and together with other stakeholders such as the Attorney General's Office, the Civil Status Office, the Police Department, the Ministry of Health and Quality of Life, arrangements are made so that the child has a name and an identity.

242. The Early Childhood Development (ECD) programme provides a holistic approach to the development of the child. In this respect, the Women and Children's Solidarity Programme created under the vote of the Prime Minister's Office for financial year 2007/2008 with a view to helping NGOs to assist women and children who are victims of abuse and violence further contributes to protecting women and children.

243. Outreach Programmes are organized jointly by the Child Development Unit and the National Children's Council and other stakeholders in the form of IEC activities, sensitization on sports day, 16 days 16 Rights Campaign.

244. The Community Child Protection Programme (CCPP) was launched in August 2007 to ensure that local communities are also involved in the protection of children. A surveillance mechanism has also been set up in high-risk areas and a capacity-building programme was launched in May 2008.

245. The National Parental Empowerment Programme, which was launched on 30 May 2007, provides guidance to parents regarding the sexual education of their children.

246. Alternative care for abused children is also provided by the Child Development Unit whereby those removed under Emergency Protection Order are placed in a place of safety under the CPA (1994). More permanency and familial placement is also available under the Child Protection Act (Foster Care) Regulations 2002.

247. "Chrysalide Project" – Rehabilitation of sex workers.

248. The MWRDCDFW is supporting a project called "Chrysalide" which is presently implemented by a Non-Governmental Organization "Centre de Solidarité pour une Nouvelle Vie" since November 2004 through a yearly grant of 1.2 million rupees (40,000 United States dollars) is provided to meet administrative expenses.

249. The "Centre de Solidarité pour une Nouvelle Vie" is involved in:

- (i) The rehabilitation and the reinsertion of drug addicts and/or alcoholics as well as their families; and
- (ii) Sensitization and prevention in all the affected areas (schools, private clubs, suburbs, etc.).

250. The project aims at:

- Total abstinence from drugs on the part of substance abusers
- Offering the women psychological help, duly therapeutic support, medical surveillance, educational and job training as well as parenting training to enhance their change of life

- Effective positive changes in the behaviour, attitudes and education of the women so that they are able to live a life free from substance abuse and/or prostitution
- Gradual reinsertion in the active world with a job and new living arrangements

251. The women who are admitted at the centre are provided with most of their needs and are given six months to one year structured living conditions to help them before they integrate into society.

252. The project is in line with the policy of this Ministry to rehabilitate women who are alcohol/drug addicts, sex workers, and prisoners who are released from prison, to give them training, impart necessary entrepreneurial skills to them and follow up regarding psychological assistance until they become self-reliant.

253. With a view to promoting Mauritius as a safe family destination, the Ministry of Tourism has embarked on a sensitization campaign on the impact of Commercial Sexual Exploitation of Children (CSEC). The Ministry has distributed brochures on CSEC to front liners of the tourism industry to help them inform and advise tourists efficiently about our common repudiation of CSEC.

254. Concurrently, there are two other NGOs which are actively involved in the rehabilitation programme of women who have been victims of sexual exploitation.

### **Constraints**

255. Child abuse is very often linked to broken families and women in trafficking are often also victims of drug abuse. A mechanism at institutional level is still inadequate to track women and children in trafficking to provide required assistance.

256. The absence of relevant data on the issue of trafficking of women and children makes it difficult for policymakers to come up with appropriate policies to address the issue in a holistic manner.

257. Lack of both financial and human resource to enable professional social workers to undertake the tracking down of women and children.

### **Challenges**

258. The enforcement of the Combating of Trafficking in Persons Act 2009 remains a challenge and there is need to set up appropriate mechanism to ensure the proper implementation of the provisions listed therein. In parallel, it is imperative that aggressive sensitization campaigns are conducted for the public at large.

## **Article 7**

### **Political and public life**

#### **Women in political life**

##### **Equal right to vote**

259. Like men, all Mauritian women of the age of eighteen and above have the right to vote and to be elected as a member of the Legislative Assembly.

260. As per the concluding remarks at paragraph 22 and 23, Government has taken the commitment to increase the number of women in decision-making and political life.

261. The SADC Commitment has been disseminated at national level. The MWRCDFW had in the context of International Women's Day 2006 organized a Symposium with

Stakeholders on “Women and Decision-Making” where the issue of greater participation of women in politics was widely debated. A copy of the recommendations emanating from the symposium was handed over to the Prime Minister on 8 March 2006.

262. Individual political parties are aware of the SADC Commitment. More aggressive lobbying and advocacy by women’s organizations are progressing in a sustained manner.

263. The table below shows that women are still underrepresented in the political area. However, some progress can be noted at the National Assembly and at Village Council level.

Table 1  
**Women in the political arena**

<i>Members of the</i>	<i>Year 1983</i>	<i>Year 1987</i>	<i>Year 1991</i>	<i>Year 1995</i>	<i>Year 2000</i>	<i>Year 2005</i>
National Assembly	4 out of 70	4 out of 70	2 out of 66	6 out of 66	4 out of 70	12 out of 70
	<i>Year 1985</i>	<i>Year 1988</i>	<i>Year 1991</i>	<i>Year 1996</i>	<i>Year 2001</i>	<i>Year 2005</i>
Municipal Council	7 out of 126	8 out of 126	7 out of 126	11 out of 126	17 out of 126	16 out of 126
	<i>Year 1986</i>	<i>Year 1989</i>	<i>Year 1992</i>	<i>Year 1997</i>	<i>Year 2005</i>	
Village Council	15 out of 810	18 out of 1 176	14 out of 1 392	41 out of 1 476	86 out of 1 476	

*Source:* Statistics Unit, Ministry of Women’s Rights, Child Development and Family Welfare.

264. There is an ongoing debate on electoral reforms in the country and the issue of how to increase the representation of women is one of the concerns of all stakeholders.

#### **Women in public sector**

265. As regards women at decision-making level in the public sector, Mauritius has already achieved the required percentage, as shown in Table 2 below.

Table 2  
**Women at decision-making level in the public sector**

	2005			2006			2007			2008		
	<i>No. of female</i>	<i>Total</i>	<i>% female</i>	<i>No. of female</i>	<i>Total</i>	<i>% female</i>	<i>No. of female</i>	<i>Total</i>	<i>% female</i>	<i>No. of female</i>	<i>Total</i>	<i>% female</i>
Senior Chief Executive	1	4	25	3	6	50	2	5	40	2	3	66.7
Permanent Secretary	10	31	32.3	10	29	34.5	9	27	33.3	9	26	34.6
Principal Assistant Secretary	18	58	31.0	23	60	38.3	23	56	41.1	21	58	36.2
Director or Head of Departments/ Ministries	66	192	34.4	84	234	35.9	73	205	35.6	73	204	35.7

*Source:* Statistics Unit, Ministry of Women’s Rights, Child Development and Family Welfare.

266. This situation arose in the context whereby women have become more assertive and proactive. Women are more willing to aspire to jobs/responsibilities which were hitherto considered male domains.

267. In view of women’s significant achievement in their academic performances, changes in the demographic and economic structure, coupled with the process of modernization, women of the latest generation seem to face fewer barriers in acceding to the top management posts in the civil service.

### Women in the judiciary

268. With the introduction of free education in 1976, more and more girls enrolled for secondary education. Equal opportunities for girls to pursue further studies resulted in an increase in women deciding to go for university studies including studies in Law. Hence there is an increase in the number of women in the legal profession. The table below gives the present position in the legal profession.

Table 3

### Women in the legal profession

	2005			2006			2007			2008		
	No. of female	Total	% female	No. of female	Total	% female	No. of female	Total	% female	No. of female	Total	% female
Chief Judge	0	1	0	0	1	0	0	1	0	0	1	
Senior Puisne Judge	0	1	0	0	1	0	0	1	0	0	1	
Judges	5	11	45.5	5	12	41.7	4	9	44.4	6	12	50
President Industrial Court	1	1	100	1	1	100	1	1	100	0	1	
President Intermediate Court	1	2	50	1	2	50	1	2	50	2	2	100
Vice President Industrial Court	0	0	-	0	1	0	0	0	0	0	1	
Vice President Intermediate Court	1	3	33.3	1	2	50	1	2	50	1	2	50
Magistrate Intermediate Court	5	7	71.4	6	8	75	7	9	77.8	5	6	83.3
Senior District Magistrate	5	9	55.6	3	6	50	4	7	57.1	4	11	36.4
District Magistrate	5	14	35.7	10	23	43.5	15	24	62.5	16	24	66.7
Chief Registrar	0	1	0	0	1	0	0	1	0	0	1	0

Source: Statistics Unit, Ministry of Women's Rights, Child Development and Family Welfare.

### 9.7 Advocacy by women's organizations

269. Over the last two years a vibrant women's movement, namely Women In Network (WIN) has been set up. One of its main objectives is to advocate an increased participation of women in politics. Lately, WIN set up Women In Politics Programme (WIPP) whereby capacity-building programmes are being organized for the benefit of women who are willing to be involved in politics.

### Constraints

270. There is still the perception that politics and public life are more suited to men than women.

271. To that effect, it is to be noted that the National Gender Machinery (NGM), the National Women's Council (NWC) and other women's organizations have not been proactive in addressing this perception. This implies the importance of networking amongst various women's groups at national, regional and international level.



### Challenges

272. Measures should be taken by all stakeholders to further encourage women in politics and public life.

273. Capacity-building programme for women remains a prerequisite in order to enable them to have a change in mindset and get them involved in decision-making instances at various levels – right from the community to political structures.

## Article 8

### International representation and participation

274. As pointed out in the last two CEDAW reports submitted, no legal provision forbids or restricts women from participating in the work of international organizations or representing the country in international and regional conferences, seminars and other forums held overseas or locally. However, as in the political and public life area, women are still underrepresented.

275. It should be noted that women's NGOs such as Media Watch Organization and Women In Networking (WIN) in particular are very active at the regional and international level. Their members participate in numerous national and international forums. Government officials participate in workshops organized at national and international level irrespective of their sex. Besides, among the three women professors at the University of Mauritius who regularly participate in international conferences, one of them who is presently the Pro-Vice-Chancellor for Teaching and Learning has won several awards at international level.

### Constraints

276. The patriarchal norms that tend to tie women to the upbringing of the child still operate in Mauritian society such that women tend to limit their participation in international forums. Due to their familial commitments, women tend not to undertake missions abroad.

277. Often budgetary constraints at both individual level and at the level of various Ministries limit the participation of women in various forums that could have given them more exposure to issues pertaining to their empowerment.

### Challenges

278. Mechanisms should be set up at the level of the workplace to support and encourage women who are in a position to participate in international forums to do so.

279. There is need to sensitize Heads of various Ministries and Departments on the need to have a gender balance in regard to participation of women in various international forums.

280. In its Annual Report for the year 2005, the National Human Rights Commission (NHRC) observed that, notwithstanding the fact that the country has adhered to a number of international and regional instruments relating to women's rights, it is a matter of regret that the objective of the SADC, namely that women were to make up at least thirty per cent of the members of the National Assembly by the year 2005, has not been met.

281. At paragraph 111 of the Report the Commission observes that "not many women want to participate in public life because of the public exposure that they lend themselves to and because they can be the target of unfair and unwanted criticism. Political parties should pledge not to make vulgar and personal remarks on candidates, more particularly women,

as such conduct tends to intimidate women and discourage them from joining politics. Women activists can do much to encourage potential female candidates so that they do not allow themselves to be deterred by the vile conduct of their opponents.”

282. A policy decision has to be taken on the matter. The NHRC has always pressed for more women to be appointed on the boards of State-owned companies and statutory bodies. Only 12 out of 44 parastatal bodies are chaired by women.

## **Article 9 Nationality**

283. As pointed out in the previous CEDAW report all discriminatory aspects present in the law concerning the issue of nationality have been amended. However, there is still the need to sensitize Mauritian citizens on their rights particularly with increased migration and a greater mobility of labour to and from other countries.

284. Prior to 1995, only Mauritian men could transmit Mauritian citizenship to their children or non-citizen-spouses. The Constitution was amended in 1995 to provide for a Mauritian woman to have the same rights as a Mauritian man as far as transmission of Mauritian citizenship is concerned.

285. Also see Article 10 – section 6 of the University of Mauritius Act.

## **Article 10 Education**

286. Equality of access:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as urban areas;

(b) Access to the same curricula, the same examinations teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women.

287. In the field of education, Mauritius has already attained its target with regard to the Millennium Development Goal. Education is free at primary, secondary and tertiary levels. The Government’s objective is now to achieve world-class quality education and in this regard, Government has invested massively in new school infrastructure for both boys and girls. Thirty-four new secondary schools with modern amenities have been constructed in urban as well as rural areas over the last five years.

288. The “Zones d’Education Prioritaires” (ZEP) project has been institutionalized for schools which have had a pass rate of less than 40 per cent over the last five years at the CPE. There are in all 30 schools, including 2 in Agalega and 1 in Rodrigues. This project aims at improving the performance of those pupils who are generally socio-economically disadvantaged.

289. The Education Act was amended in 2004 to provide compulsory education up to age of 16. Any pregnant student is allowed to attend school including after delivery. Pupils who have failed CPE or have reached 13 years of age are admitted in pre-vocational schools for a three-year course. Upon completion of the course, they are shifted to a one-year course at

the Industrial and Vocational Training Board (IVTB) for a National Trade Certificate Foundation Course. As a logical extension of the introduction to free secondary education, free transport is provided to all school children including those attending tertiary institutions, as from September 2005. These measures ensure that girls are having equal access to education. No discrimination is practised by the school teachers, who will teach boys and girls respectively.

290. Pending the finalization of the National Curriculum Framework for secondary and the development of instructional materials, pupils' textbooks and teachers' resource books for upper primary are being written where gender equality will be the high-water mark. Enrolment for participation in subjects like Chemistry and Biology has reached parity. However, with a view to addressing the issue of disparity in Physics at HSC, a new subject namely "21st Century Science" will be introduced shortly as a compulsory subject until School Certificate level.

**(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and in particular the revision of textbooks and school programmes and the adaptation of teaching methods;**

and

**(d) The same opportunities to benefit from scholarships and other study grants.**

#### **Encouraging students at primary level**

291. The Ministry of Education, Culture and Human Resources is currently laying emphasis on the role of social workers and parent mediators to assist and support the parents and children from ZEP schools in their efforts for improved parenting and for creating the right learning environment for children at primary level. The attendance of chronic absentees is being closely monitored at the level of schools and head teachers arrange with social workers of the Ministry of Education and Arts and Culture to contact the parent of these children and explain to them the need for their wards to attend classes and to improve their attendance at school. This issue is also raised during meetings of the parent teachers associations.

292. Section 14 of the Constitution which provides for free education to be available to all irrespective of nationality, race, caste, religion, place of origin, political opinion, colour, creed or sex, without prejudice to the freedom to establish religious schools.

293. Section 6 of the University of Mauritius Act entitled "No Discrimination" which states that no discrimination on account of nationality, race, caste, religion, place of origin, political opinion, colour, creed or sex shall be shown against any person in determining whether he or she is to be appointed to the academic or other staff of the University, be registered as a student of the University or graduate from, or hold any advantage or privilege of the University.

#### **Quality initiative**

294. The policy measures envisaged by the providers of education in Mauritius for implementation are geared towards:

- Creating the opportunity for all to learn
- Ameliorating instructional practice
- Confronting the equity challenge

- Encouraging community support
- Some strategies used are:
  - Literacy and numeracy strategy has been introduced as from 2006
  - “Bridging the Gap” project aims at ensuring smooth transition from pre-primary to primary
  - A pool of psychologists ensures that psychological support is given to pupils with behavioural problems and low performance at secondary level

#### Girls, non-traditional subjects and other facilities

295. The Government is also committed to encourage girls to take up non-traditional subjects including science and technology as well as choosing careers which were male-dominated. Government also provides scholarships equally to boys and girls and financial assistance to needy students for purchase of books and payment of examination fees. Some private firms and parastatal bodies also offer scholarships to children of their employees.

296. The Government’s vision is to transform Mauritius into a cyber-island/knowledge hub. School IT projects are being implemented in primary schools which enable the young pupils to learn IT as a subject and use IT as a tool in other subjects. The access of the general public including women and children to PCs and the internet is being democratized through the dispensing of training courses in the Cyber Caravans run by the National Computer Board.

#### (f) The reduction of female drop-out rates and the organization of programmes for girls and women who have left school prematurely.

297. From the table below it can be said that the drop-out rate is rather low at primary level as compared to the secondary level.

Table 4

#### Additional indicators on education, Republic of Mauritius, 2005–2007

	2005			2006			2007		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
% of children completing primary education	98	98	98	92	93	93	97	98	98
<i>Drop-out rate</i>									
Primary level	0.1	0.0	0.0	0.1	0.0	0.1	N/A	N/A	N/A
Secondary level (Academic only)	6.7	6.5	6.6	7.8	7.0	7.4	N/A	N/A	N/A
<i>Repetition rate</i>									
Primary level	5.1	3.5	4.3	4.0	3.0	3.7	N/A	N/A	N/A
Secondary level (Academic only)	13.5	11.0	12.2	12.5	10.1	11.3	N/A	N/A	N/A

298. Schooling is compulsory up to the age of 16 and the Government is presently providing educational facilities to students (boys and girls) until they reach the age of maturity to enter the world of work. At primary level, as at 2007, the pre-vocational sector caters for around 9,071 students ejected out of the system after the primary level. The Pre-

Vocational Scheme makes provision for Certificate of Primary Education dropouts to ensure equity in educational services in the State and Private Sectors.

299. At secondary level, the Industrial and Vocational Training Board (IVTB) provides non-academic courses to those who do not intend or are not able to complete the secondary level. Training is imparted by both IVTB-owned and registered private institutions which offer in-house training as well as apprenticeship and on-the-job training in about 18 different sectors. The IVTB offers a variety of technical and vocational courses. The number of girls attending the IVTB courses in 2006 stood at 2,140 as compared to 5,883 boys.

300. The Government of Mauritius, through the Ministry of Women's Rights, Child Development, Family Welfare and the IVTB are providing various training programmes for empowering women and girls at all levels. A variety of courses including dress-making, home-economics, handicraft, adult literacy and Information Technology are offered by the Ministry. For the period 2003 to 2007, 60,000 women benefited from the various training programmes.

301. The National Women's Council has widened the scope of operation of its units, namely, the Adult Literacy Unit and the Dressmaking and Related Craft Unit, to apply a holistic and coherent approach to implementing activities and projects to address women's issues by:

- Facilitating their involvement in economic activities
- Promoting self-development and employability through literacy
- Strengthening capabilities through training in capacity-building
- Facilitating women's access to information

302. The table below provides data on the enrolment rate at the various levels in the educational system.

Table 5

**Enrolment in pre-primary, primary, secondary, vocational and post-secondary education, Republic of Mauritius, 1990, 2000, 2005, 2006 and 2007**

Enrolment ('000)	1990		2000		2005		2006		2007	
	M	F	M	F	M	F	M	F	M	F
Pre-primary ('000)	10.9	10.5	19.7	19.6	18.9	18.4	18.7	18.4	18.4	18.1
Primary ('000)	69.6	67.9	68.7	66.5	62.7	60.8	61.7	59.7	60.6	58.7
Secondary ('000)	39.1	39.0	46.4	49.0	53.0	57.3	55.1	59.5	56.1	60.6
Post-secondary ('000)	1.5	0.75	5.3	7.1	7.5	9.3	7.9	8.9	7.7	10.5
Pre-vocational ('000)	0.17	0.08	3.3	1.3	6.1	3.7	6.4	4.0	6.0	3.6
Vocational & Technical Training ('000)	...	...	4.7	0.8	5.9	1.5	5.9	2.1	...	...

Source: Central Statistics Office.

303. It can be seen that girls tend to be underrepresented in the pre-vocational and vocational and technical training.

**(g) The same opportunities to actively participate in sports and physical education.**

304. Provision of accessible recreational and sports opportunities and facilities at schools and in communities are more and more gender sensitive:

- “Health and Physical Education” and Physical Education (PE) are included in the timetable of all primary and secondary schools respectively. Pre-service training for primary teachers includes a module on physical education.
- Mauritius Secondary Sports Association (MSSSA) organizes inter-regional college sports meetings for both boys and girls.
- Activities (Duke of Edinburgh Award, Scouts Movement, Girl Guide Movement, Educational Tours, “Colonies de Vacances”, etc.) are organized in collaboration with other ministries for the overall development of the Mauritian child irrespective of sex.
- Mauritius Sports Council (MSC) in collaboration with sponsors organizes award ceremonies (Milo award) to give recognition to athletes who perform well in a bid to encourage the pupils of primary schools to see them as role models.

305. A Memorandum of Understanding has been signed between the Ministry of Education and the Ministry of Youth and Sports for the utilization of sports infrastructure by the public after school hours in State secondary schools.

**(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.**

#### **Health education**

306. The component of health education has been incorporated by the Mauritius Institute of Health in the “Physical and Social Health of the Teacher’s Training Programme”. The primary curriculum has been reviewed and health education has been added to physical education. Sensitization programmes are carried out on sexual education and child abuse by the Mauritius Family Planning and Welfare Association (MFPWA) and the National Children’s Council (NCC) in primary and secondary schools. The Ministry of Youth and Sports organizes programmes in Youth Centres on Sexuality and Family Life Education for young people including out-of-school children.

#### **National Parental Empowerment Programme**

307. The National Parental Empowerment Programme has been introduced in 2007 by the Child Development Unit of the MWRCDFW on counselling services with parents and other family members.

308. The main objectives of the National Parental Educational Programme are:

- To avoid conflicts at home
- To help in strengthening care of children through support and education of parents
- To empower parents in enabling them to ensure the holistic development of their children
- To improve the relationship between parents and children

#### **Constraints**

309. Various initiatives exist in the country and they emanate from several stakeholders to promote the education of both women and men. However, some individuals who could have benefited from them either seem not to be aware of or are not interested in participating in these projects. Moreover, although education is free and compulsory, some

parents, often caught in the web of substance abuse and/or in prisons, do not send their children to school.

### **Challenges**

310. Members of the public should be sensitized and encouraged through support services to participate in activities pertaining to education.

311. In addition, parents not in compliance with the Education Act should be taken to task for not sending their children to school. All stakeholders involved should be able to play their roles effectively.

## **Article 11 Employment**

### **Women have equal rights to employment**

312. Refer to Part 1 under paragraph 35.

### **Women, working conditions and pregnancy**

313. According to a Circular Letter from the Ministry of Civil Service and Administrative Reforms, dated 01 March 2006 (No. 6 of 2006), Government has decided that, henceforth, women public officers who are in their ninth month of pregnancy may, on request, be allowed to leave the office half an hour earlier in the afternoon to avoid peak time rush, such release to be reckoned against their normal leave entitlement.

314. Protection is also provided to female workers in the sugar industry who have reached an advanced stage of pregnancy (sixth or seventh month), by providing them with light field work or by prohibiting the lifting or carrying of materials or equipment. During the intercrop season, in the case of a female worker who is employed other than on task work, the length of a normal work day's work, excluding any time allowed for meal break is six hours on every day other than a Saturday or a public holiday after she has entered the seventh month of pregnancy. Furthermore, female workers in the salt manufacturing industry shall not be compelled to do any work involving the carrying of a load of more than 18 kgs.

315. In addition, the Employment Rights Act 2008, adopted in August 2008 and proclaimed on 2 February 2009, provides that:

- (i) An employer shall not require a female worker to perform work in excess of a normal day's work or work during night shift, two months before her confinement;
- (ii) Subject to medical recommendation, a female worker who is pregnant shall not be required to perform duties requiring continuous standing or that may be detrimental to her health or that of her baby;
- (iii) An employer shall not give to a female worker, who is on maternity leave, notice for termination of employment during such leave or that would expire during such leave.

### **Women and employment opportunities**

316. Characteristics of unemployed persons.

- (i) Age and sex.

Table 6  
**Percentage distribution of unemployed population by age and sex, September and December 2004**

Age group (years)	September 2004			December 2004		
	Both sexes (%)	Male (%)	Female (%)	Both sexes (%)	Male (%)	Female (%)
Below 20	12.3	12.7	11.9	17.8	23.2	13.1
20–24	36.9	43.8	31.5	31.1	38.4	24.8
25–29	16.7	19.7	14.2	13.8	14.0	13.6
30–39	17.1	10.7	22.3	21.7	14.4	28.0
40–49	11.3	7.6	14.2	12.3	9.7	14.6
50 & over	5.7	5.5	5.9	3.3	0.3	5.9
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

317. Table 6 shows that unemployed males are younger than unemployed females. Thus, 62 per cent of the males were under 25 years compared to 38 per cent for females. On the other hand, 10 per cent of unemployed males were 40 years or more compared to 20 per cent for females. The mean age of the unemployed works out to 26 years for males and 31 years for females.

#### Characteristics of the unemployed

318. The main characteristics of the unemployed at the third quarter of 2009 were:

- (i) The 42,100 unemployed comprised 14,900 males (35 per cent) and 27,200 females (65 per cent);
- (ii) Around 15,800 (7,200 males and 8,600 females) or about 37 per cent of the unemployed were below 25 years;
- (iii) Around 41 per cent (17,400) of the unemployed were single. Among males, the majority (70 per cent) were single while among females, the majority (75 per cent) were ever married (including widowed, divorced or separated);
- (iv) Some 8,000 or 19 per cent had not reached the Certificate of Primary Education (CPE) level or equivalent and a further 20,000 (47 per cent) did not have the Cambridge School Certificate (SC) or equivalent;
- (v) Around 31,600 (77 per cent) had been looking for work for up to one year and the remaining 10,500 (23 per cent) for more than one year;
- (vi) About 28,100 (67 per cent) had working experience and 14,000 (33 per cent) were looking for a job for the first time;
- (vii) Around 15,400 (37 per cent) were registered at the Employment Service;
- (viii) There were 7,500 (18 per cent) young persons aged 16 to 24 years, not yet married and looking for a first job. Some 2,800 (37 per cent) of them had not passed SC;
- (ix) Ever married (including widowed, divorced or separated) unemployed persons aged 25 to 44 years and having worked before numbered 12,900. Among them, about 9,700 (75 per cent) had not passed SC;
- (x) 6,200 or 15 per cent of the unemployed were heads of households;



(xi) 4,800 (11 per cent) lived in households with no employed persons.

319. In terms of employment opportunities it can be observed in the table below that more women tend to be unemployed on the labour market.

Table 7  
Number of job seekers

Year	2001	2002	2003	2004	2005	2006	2007
Both sexes	18 300	19 400	13 000	18 200	19 100	15 600	17 200
Male	9 200	9 000	5 400	7 400	7 100	4 800	5 100
Female	9 100	10 400	7 600	10 800	12 000	10 800	12 100

Source: Central Statistical Office.

320. It is found that, despite their higher educational attainment, women face more difficulties to secure jobs, as compared to their male counterparts.

321. It may also be that women are looking for secure jobs in the public sector. New sectors are now emerging such as Business Process Outsourcing (BPO) and in the 24/7 economy.

Table 8  
Unemployment profile

Education attainment	2005			2006			2007		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Below CPE	4 600	7 400	<b>12 000</b>	6 000	6 700	<b>12 700</b>	5 400	5 400	<b>10 800</b>
Passed CPE	2 800	4 400	<b>7 200</b>	1 900	3 500	<b>5 400</b>	1 300	3 000	<b>4 300</b>
Below SC	7 000	9 800	<b>16 800</b>	6 500	10 200	<b>16 700</b>	6 300	9 100	<b>15 400</b>
Passed SC	3 400	6 300	<b>9 700</b>	3 100	6 800	<b>9 900</b>	3 100	6 600	<b>9 700</b>
Passed HSC	1 200	2 200	<b>3 400</b>	700	2 100	<b>2 800</b>	1 000	2 700	<b>3 700</b>
Tertiary	1 200	1 600	<b>2 800</b>	1 000	1 300	<b>2 300</b>	1 500	1 400	<b>2 900</b>
<b>Total</b>	<b>20 200</b>	<b>31 700</b>	<b>51 900</b>	<b>19 200</b>	<b>30 600</b>	<b>49 800</b>	<b>18 600</b>	<b>28 200</b>	<b>46 800</b>

Source: CSO; CMPHS.

322. Furthermore, with the financial crisis, in the two sectors where women are heavily employed in particular, the textile industry and the tourism industry, women are more likely to suffer layoffs.

323. Government is implementing the Women Employment Programme under the aegis of the National Employment Fund. The challenge is that of upgrading and/or reskilling of redundant women from the EPZ sector to ensure that they have access to alternate jobs or the possibility of starting a microenterprise.

324. The main focus of the National Empowerment Foundation (NEF) for 2009 is to broaden the circle of job opportunities to some 3,000 additional job seekers through training and placement facilities and help those whose jobs are affected by the global economic crisis in securing their jobs.

## Employment

325. The number of employed persons during the third quarter of 2009 was estimated at 527,300 with 342,800 males and 184,500 females (Table 2). Employment sex ratio remained at approximately 2 males to 1 female.

### Employment by industrial sector

326. During the third quarter of 2009, the primary sector comprising agriculture and mining and quarrying employed nearly nine per cent of the working population. The secondary sector, which includes manufacturing, electricity and water and construction, employed nearly 29 per cent, and the tertiary sector, which covers trade, hotels and restaurants, transport and all the other service industries, the remaining 62 per cent.

Table 9

### Percentage distribution of the employed population by industrial sector and sex, third quarter 2008 and 2009

<i>Industrial sector</i>	<i>3rd quarter 2008</i>			<i>3rd quarter 2009</i>		
	<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>	<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>
Primary	10.0	11.0	8.1	9.2	9.8	8.2
Secondary	29.8	33.8	21.9	29.3	33.2	22.1
Of which:						
Manufacturing	17.9	16.2	21.0	17.7	15.9	21.2
Construction	11.3	16.9	0.6	10.9	16.4	0.8
Tertiary	60.2	55.2	70.0	61.5	57.0	69.7
Of which:						
Wholesale and retail trade	13.3	12.4	15.3	13.7	13.0	15.0
Hotels and restaurants	8.5	8.9	7.7	8.7	8.9	8.2
Transport, storage and communications	7.0	8.8	3.4	7.5	9.4	4.1
Public administration and defence	6.6	7.3	5.3	6.5	7.6	4.5
Education, health and social work	8.9	6.3	14.1	8.7	5.5	14.5
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

### Employment by occupation

327. During the third quarter of 2009, around 35 per cent of the working population were employed as “skilled agricultural and fishery workers or craft and related trade workers; plant and machine operators and assemblers”. Workers engaged in “elementary occupations” accounted for 20 per cent of the workforce; “service workers as well as shop and market sales workers” accounted for another 19 per cent. The remaining consisted of “legislators, senior officials and managers; professionals; technicians and associate professionals” (17 per cent) and “clerks” (9 per cent).

328. Analysis by sex shows that 43 per cent of males were employed as “skilled agricultural workers and fishery workers; craft and related trades workers; plant and machine operators and assemblers” compared to only 19 per cent among females. On the other hand, 16 per cent of females were engaged in clerical duties compared to 6 per cent of males.

Table 10  
**Percentage distribution of the employed population by occupation group and sex,  
 third quarter 2008 and 2009**

<i>ISCO<sup>1</sup> Major occupational group</i>	<i>Occupation group</i>	<i>3rd quarter 2008</i>			<i>3rd quarter 2009</i>		
		<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>	<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>
1-3	Legislators, senior officials and managers; professionals; technicians and associate professionals	17.0	15.6	19.7	17.2	15.3	20.7
4	Clerks	9.1	5.7	15.7	9.2	5.7	15.6
5	Service workers and shop and market sales workers	19.0	17.9	21.0	18.5	17.3	20.5
6-8	Skilled agricultural and fishery workers; craft and related trade workers; plant and machine operators and assemblers	34.9	44.1	17.5	34.7	43.3	18.9
9	Elementary occupations	20.0	16.7	26.1	20.4	18.4	24.3
<b>Total</b>		<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

<sup>1</sup> International Standard Classification of Occupations.

### Employment status

329. In the third quarter of 2009, the majority or nearly 81 per cent of workers were employees and the remaining 19 per cent were working on their own or in family enterprises with 17 per cent as either employers or own-account workers and 2 per cent as contributing family workers (Table 11).

Table 11  
**Percentage distribution of the employed population by employment status and sex,  
 third quarter 2008 and 2009**

<i>Employment status</i>	<i>3rd quarter 2008</i>			<i>3rd quarter 2009</i>		
	<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>	<i>Both sexes (%)</i>	<i>Male (%)</i>	<i>Female (%)</i>
Employer	4.1	5.4	1.5	4.9	6.4	2.2
Own account worker	13.2	15.3	9.1	12.7	15.0	8.4
Employee	80.8	78.4	85.6	80.5	78.0	85.0
Contributing family worker	1.9	0.9	3.8	1.9	0.6	4.4
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

330. Analysis by sex shows that the proportion of employees was slightly higher among working women (85 per cent) than among working men (78 per cent), while the proportion of employers and own account workers was higher among men (21 per cent) than among women (11 per cent).

### Constraints

331. The 1970s witnessed an influx of women in the Export Processing Zone (EPZ) sector. However, with the dismantling of the Multi-Fibre Agreement, textile factories have been forced to close down, thus resulting in an increased number of female unemployed.

### Challenges

332. Employers need to be sensitized to the negative impact of their sex stereotypes on women to enable them to review the criteria in recruitment exercises.

Effective implementation of the EOA remains a challenge to ensure de jure and de facto equality.

## Article 12 Equality of access to health care

333. In Part 1, actions undertaken to address the concerns of the CEDAW Committee are given at paragraphs 30 and 31. More details are provided here on three problems currently affecting women and girls in the country.

### Teenage pregnancy

334. Teenage pregnancy is an area of concern and occurs in the 15–19 years age group.

Table 12

#### Number of reported cases at the Child Development Unit/Family Support Bureau

	2002	2003	2004	2005	2006	2007	2008
Teenage pregnancy	61	53	112	119	80	47	49

335. Many of these may terminate in abortion and have implications for the education of the girl child as well as health consequences. The MWRCDFW is working in collaboration with a non-governmental organization namely “Mouvement d’Aide à la Maternité” and has geared its action towards prevention.

### Abortion

336. Any person who, by any food, drink, medicine, or by violence or by any other means, procures the miscarriage of any woman quick with child, or supplies the means of procuring such miscarriage, whether the woman consents or not, is liable to be punished by penal servitude for a term not exceeding 10 years.

337. Abortion is prohibited under section 235 of the Criminal Code.

338. Although abortion is illegal in Mauritius, the practice is quite common among women (as shown below).

Table 13

#### Number of cases admitted in health institutions due to complications of abortion from 1986–2006

Year	Government hospitals	Private clinics	Total
1986	2 150	272	2 422
1987	1 648	240	1 888
1988	1 221	276	1 497
1989	1 248	411	1 659
1990	1 256	587	1 843
1991	1 402	709	2 111
1992	1 726	692	2 418

<i>Year</i>	<i>Government hospitals</i>	<i>Private clinics</i>	<i>Total</i>
1993	1 717	630	<b>2 347</b>
1994	1 922	557	<b>2 479</b>
1995	1 829	605	<b>2 434</b>
1996	1 826	711	<b>2 537</b>
1997	1 868	570	<b>2 438</b>
1998	2 104	367	<b>2 471</b>
1999	2 245	412	<b>2 657</b>
2000	2 043	615	<b>2 658</b>
2001	1 891	739	<b>2 630</b>
2002	1 802	647	<b>2 449</b>
2003	1 340	346	<b>1 878</b>
2004	1 612	572	<b>2 184</b>
2005	1 389	445	<b>1 834</b>
2006	1 269	276	<b>1 545</b>
2007	1 356	279	<b>1 635</b>

*Source:* Medical Records – Ministry of Health, Statistical Department.

339. As indicated in Part 1 there is much debate at present on whether abortion should be decriminalized/legalized or still prohibited by law.

#### **Constraint**

340. Lobby groups on the rights of the child and pro-life groups need to reconcile with this issue.

#### **Challenge**

341. The MWRCDFW spearheaded a consultative meeting in June 2009. Due to the sensitive nature, in terms of cultural specificities and religious interpretations, moral values and legal provisions, prior to harmonizing laws on abortion, a consultative meeting was organized, as part of a democratic and participatory process, that acted as a forum for dialogue for different stakeholders of Government and civil society to gather views of different portions of society and brainstorm on the way forward for reviewing the legal framework concerning abortion in Mauritius. Participants in the meeting included representatives of faith-based organizations, the Council of Religion, Muslim Citizen Council, Union of Women's Committee, Women's Associations and Networks, the Mauritius Family Planning and Welfare Association, and the Catholic Church amongst others. Inputs from participants varied from pro-life, the right to make a choice, health concerns of the mother and child, societal response to abortion and teenage pregnancy, religious interpretations of abortion, the case for safe abortion from trained providers, the view that termination of pregnancy should be allowed within a legal, medical and psychological framework, and to address the issue from a human rights perspective.

342. Recommendations emanating from the meeting will be forwarded to the Ministry of Health and Quality of Life as legislation on termination of pregnancy is legally spearheaded by the relevant Ministry.

343. With regard to availability of data on the total abortion rate, it may prove very intricate to obtain such accurate data given the fact that abortion is illegal, hence goes

unreported. The only figures that may be obtained from hospitals arise from complications related to abortion attributed to unsafe abortion practices.

### **HIV/AIDS**

344. Since 1987, the Government of Mauritius has taken several steps to combat the spread of HIV/AIDS. Two successive National Strategic Plans for HIV/AIDS (2001–2005 and 2007–2011) have been formulated and implemented under the National AIDS Committee (NAC). To give leverage to the action of the NAC, a National Aids Secretariat has been set up under the Prime Minister’s Office to closely monitor the implementation of the National Strategic Plan on HIV/AIDS in 2005. It liaises with financial stakeholders at national, regional and international levels to ensure availability of sufficient resources to achieve the targets set. Several ministries, the Mauritius Prison System, the National Agency for Treatment and Rehabilitation of Substance Abuse (NATRESA), several NGOs, private firms under Corporate Social Responsibility, and religious organizations contribute to sensitize over the HIV/AIDS pandemic.

#### **The HIV/AIDS Act (2006)**

345. The HIV and AIDS Act was enacted in 2006 with a view to providing for measures for the control and prevention of the propagation of HIV and AIDS by way of:

- Making available HIV testing facilities
- The registration of those facilities
- The testing of donated blood
- The counselling of persons affected with HIV or AIDS
- The regulation of surgical and dental procedures
- A system of syringe and needle exchange

346. The Act also provides for the punishment of any person who knowingly or recklessly places other persons at risk of being infected with HIV or who is in possession of syringe, needle or other article with intent to infect other persons with the virus.

347. The following measures have been taken by the Government to curb HIV infection, especially addressing the injecting drug users (IDUs) that fuel the spread of HIV:

- Government has already agreed to the principle of introducing Methadone as a substitution therapy for opiates addiction. A “modus operandi” for the implementation is being worked out at the level of the Ministry of Health and Quality of Life.
- A needle exchange programme (NEP), which has proved to be a very effective solution in curbing the spread of HIV/AIDS among IDUs. The introduction of this measure has strongly been recommended.
- In line with the UNAIDS guiding principles, a Monitoring and Evaluation (M&E) framework for HIV/AIDS responses has been elaborated and a National Strategic Framework has been finalized.

#### **Prevention of Mother-to-Child Transmission of HIV**

348. The Prevention of Mother-to-Child Transmission project was set up in December 1999. An HIV test is being offered after counselling to all pregnant women attending the Antenatal clinic in the public sector. The counselling is being carried out by staff of the AIDS Secretariat and trained nursing personnel. It is accepted by almost all.

349. Free antiretroviral prophylactic treatment is given to pregnant HIV positive women during the last trimester and to the newborn for six weeks.

#### **Sensitization on HIV/AIDS**

350. Awareness sessions with women and girls of childbearing age in Women Centres, social welfare centres and community centres remain high on Government's agenda.

351. The objective of these sessions is to address the issue of vulnerability of women to HIV/AIDS and also to prevent mother-to-child prevention transmission.

#### **Training of peer educators on Family Life Education skills and HIV/AIDS**

352. The AIDS Unit conducts training sessions on Family Life Education skills to peer educators through four to six residential workshops and seminars each year. Topics covered are: Reproductive Health, Sexually Transmitted Infections, HIV/AIDS, Communication and Project Design and Management. The Secretariat has established a network of peer educators who help to mount programmes for out-of-school children on HIV/AIDS issues.

#### **Sensitization programmes on HIV/AIDS at schools**

353. The welfare state in Mauritius has been further consolidated to provide free education to all from pre-primary to tertiary level. In fact, education up to 16 years of age has been made mandatory through the enactment of legislation. While sensitization programmes on HIV and AIDS are already being carried out in schools, consideration is being given to including HIV infection in the school curricula for children and adolescents.

#### **Awareness sessions with workers in EPZ sector and public officers**

354. Officers from the AIDS Secretariat carry out ongoing awareness sessions with workers of the EPZ sector on HIV/AIDS. Officers also attend talks organized for other manufacturing sectors by the Ministry of Labour, Industrial Relations and Employment.

#### **Provision of post-exposure prophylaxis (PEP) to victims of rape**

355. Free antiretroviral drugs have been provided to victims of rape and to those with accidental injuries in the context of post-exposure prophylaxis (PEP) since December 1999 to reduce the risk of infection. Police officers have been trained on PEP and measures to be taken in cases of rape.

356. Table 10 below provides figures on new cases of HIV/AIDS notified.

Table 14

#### **New cases of HIV/AIDS notified**

<i>Period</i>	<i>Mauritian</i>		<i>Non-Mauritian</i>	
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
1987–1994	43	17	24	6
1995–2000	102	59	28	8
2001	34	21	12	2
2002	59	39	3	1
2003	167	58	12	3
2004	464	61	8	2
2005	815	106	5	2

<i>Period</i>	<i>Mauritian</i>		<i>Non-Mauritian</i>	
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
2006	455	87	9	4
2007	452	94	16	6

*Source:* Health statistics report 2007.

357. It can be observed that though the number of notified cases is low as compared to other countries, the trend is on the increase.

#### **Sensitization on health issues at the level of Women Centres**

358. The MWRCDFW has set up Weight Management Clubs in the Women Centres to address the problem of obesity amongst women. Yoga, aerobics and other sports activities are also conducted as a means to inculcate the need for physical activities. Around 500 overweight or obese women join the weight management clubs yearly.

359. The issue of breast and cervical cancer is also being addressed through Pap smear tests and mammograms. Women attending the Women Centres are given adequate information in regard to breast self-examination techniques.

360. Sports and physical activities contribute to a great extent to the development and well-being of women. In order to promote these activities among women, the MWRCDFW launched Women Sports Associations in March 2007 in each of the 14 Women Centres and 1 Women Empowerment Centre to encourage women to engage in various sports and physical activities.

361. Women are encouraged to participate in blood donation activities, through the 15 Women Centres. As an incentive, women are given a “carnet de santé” which enables them to have free general checkups to keep track of their health status. This activity has been ongoing since 2004. An average of 2,500 women have participated in blood donation activities.

#### **Constraints**

362. Teenage pregnancy, abortion and HIV/AIDS are still taboo subjects in the country and religious feelings do not contribute to promoting the well-being of women.

#### **Challenges**

363. Aggressive sensitization and advocacy campaigns remain a challenge and the Ministry of Health and Quality of Life and the MWRCDFW continue to invest resources in the preventive aspect of the issue of the feminization of AIDS.

364. Mandatory HIV/AIDS testing for pregnant women remains a challenge.

365. The interlinkages between HIV/AIDS and gender-based violence also need to be addressed through a multipronged approach.

### **Article 13**

#### **Social and economic benefits**

366. In Part 1, details on government action in response to paragraphs 36 and 37 of the concluding remarks of the CEDAW Committee have been provided.



### **The right to family benefits**

367. Concerning the social and economic benefits enjoyed by women, the previous report provides a comprehensive view of the existing provisions. It should be stressed here that Social Aid which comprises a series of measures to assist individuals and their families has been operational in Mauritius since 1983 and provisions for the granting of social aid were made in the Social Aid Act, 1983 and the Social Aid Regulations, 1984. The objectives for the Social Aid Act have not been listed specifically in the Act. Implicitly, it is a mechanism of income support to certain categories of persons who are incapable of earning their living adequately and who have insufficient means to support themselves and their dependants. Social Aid, like other assistance programmes therefore, helps vulnerable individuals and households to maintain their livelihoods when they are confronted by economic, environmental and health shocks.

### **Provisions of social aid**

368. It is a basically means-tested assistance, in cash or in kind, to needy persons who cannot adequately provide for themselves and for the needs of members of their households, inter alia, due to:

- (a) Physical or mental impairment;
- (b) Abandonment by spouse including unmarried mothers;
- (c) Imprisonment;
- (d) Sudden loss of employment;
- (e) Admission to hospitals.

369. A special monthly allowance of 1,000 rupees is also provided to single mothers already in receipt of social aid in respect of every child aged between 3 months and 7 years.

### **The right to bank loans, mortgages and other forms of financial credit**

#### **Addressing layoffs**

#### **The National Empowerment Fund (NEF)**

370. The Empowerment Programme set up in 2007 has now been restructured as the National Empowerment Foundation (NEF). This permanent structure paves the way for sustained support to those unemployed women who are above 40 years of age as compared to men above 50 years of age. It is also meant to address a gender gap in favour of women and simultaneously reconcile economic efficiency and social justice. The new economic model is thus a means to an end that provides opportunities for the unemployed, for those recycled from their jobs, for women, for young people entering the labour force and for small and medium entrepreneurs; and also facilitates the transition from sugar, textiles and other activities hit by shocks, into higher value.

371. Given the layoffs women are facing with the financial crisis, Government has set up a scheme (in 2009) whereby those who lose their jobs are entitled to a monthly revenue over a period of time and a training scheme for reskilling under the aegis of the National Empowerment Foundation. This is addressed under Article 3 above. Loans from the Development Bank of Mauritius are also granted to those who decide to launch a small business. The procedures for obtaining a loan have been simplified to ensure easy access to credit facilities.

**“Family in Distress” Scheme**

372. The Family in Distress Scheme, initially known as the “Women and Children in Distress Scheme”, was introduced in 1993 and was meant to provide temporary and immediate relief to women who are in need of financial assistance due to the sudden death of their spouses in tragic conditions. Originally meant for widows, the Scheme was extended in 2005 to also include widowers whose working spouse died in tragic circumstances.

373. The MWRCDFW has extended the much-needed psychological support to families of victims to relieve them of the anguish and pain they are facing.

374. Moreover, in the case of the accidental death of a child, assistance to the tune of 100 United States dollars to the parents/legal guardians to cover funeral expenses is also provided.

**Special Collaborative Programme for Support to Women and Children in Distress**

375. The Ministry of Women’s Rights, Child Development and Family Welfare (MWRCDFW) is implementing a “Special Collaborative Programme for Support to Women and Children in Distress” to the tune of 1,100,000 United States dollars.

376. The aim of the Programme is to provide financial support to NGOs, Community-based Organizations, and non-state agencies working for the welfare of women and children in distress, resulting out of socio-economic exclusion.

377. The MWRCDFW has invited NGOs and non-state actors to submit proposals for funding of projects aimed at integrating women and children into the mainstream of development.

378. To date, 97 project proposals have been received for the first round of call for proposals. 20 projects have been retained, that address areas such as gender-based violence, sexual assault, child abuse, harassment and broken families, inter alia. To date, 16 out of 20 NGOs have received a grant ceiling not exceeding 66,000 United States dollars for each project.

**Special programme for unemployed women**

379. The 2006–2007 budget voted in June 2006 includes special programmes for unemployed women under the creation of an Empowerment Fund with a provision of 750 million rupees for the current year. This innovative Programme has further promoted the economic empowerment of vulnerable groups and covered several areas of support including land for social housing and for small entrepreneurs; a workfare programme emphasizing training and reskilling; special programmes for unemployed women; and development of new entrepreneurs and SMEs.

380. In line with measures announced in the Budget Speech 2007/2008, the MWRCDFW in collaboration with the Ministry of Finance and Economic Development, and the Industrial and Vocational Training Board launched an awareness campaign on job opportunities in the construction sector. Some 1,000 women, who were mainly retrenched workers, were being targeted. The main objective of the campaign was to motivate women to take advantage of the facilities being offered by the National Empowerment Foundation and to encourage women to embark on non-traditional jobs such as electricians, tile layers, painters, plumbers, gardeners and metalworking.

381. Subsequently, many women expressed interest in being trained in different fields and necessary actions have been taken by the IVTB.

### Human Resource Development Council (HRDC)

382. The Human Resource Development Council (HRDC) established by the Human Resource Development Act 2003 became operational in November 2003. It has as its mission to develop institutional synthesis for an integrated HRD strategy. It has also been vested with the responsibility of looking after and promoting the development of a labour force which matches the requirements of a fast-growing economy.

383. Its main objectives are to:

- Promote human resource development in line with the national economic and social objectives
- Stimulate a culture of training and lifelong learning at the individual, organizational and national levels for employability and increasing productivity
- Provide the necessary human resource thrust for successful transformation of the economy of the country into a knowledge economy

384. The projects implemented to date include the following:

1. Work placement for pre-vocational and Lower VI students;
2. Facilitation of training programmes for the BPO sector;
3. Professionalizing and improving employability in the farming community;
4. Ornamental fish breeding project (25 women benefited from the training and facilitation offered);
5. Training for tea planters;
6. Project for unemployed SC and HSC leavers.

These projects have benefited both sexes.

### Business incubators – Triolet and Phoenix

385. Two regional women's business and incubator centres have been established at Phoenix and Triolet to assist women entrepreneurs in the production and sales of their products. They benefit from comprehensive training and business counselling and some common facilities will also be provided. These centres have space for sales of products which will be manufactured on site. The incubator houses entrepreneurs who sell a wide range of products including handicraft. Tourists and hotels are encouraged to purchase from the incubatees.

### The budget of the MWRCDFW

386. With a view to assisting women at a social and an economic level, the budget of the MWRCDFW is increasing.

Table 15

#### Budget allocated to MWRCDFW

<i>Year</i>	<i>2002–2003</i>	<i>2005–2006</i>	<i>% increase</i>	<i>2006–2007</i>	<i>% increase</i>	<i>2007–2008</i>	<i>% increase</i>
Budget	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)
Recurrent	92 671	130 560	40.8	139 815	7.1	147 172	5.3
Capital	19 000	27 000	42.1	18 000	-33.3	23 000	27.8
<b>Total</b>	<b>111 671</b>	<b>157 560</b>	<b>41.1</b>	<b>157 815</b>	<b>0.16</b>	<b>170 172</b>	<b>7.8</b>

*Source:* Budget estimates.

**Constraints**

387. The practical and strategic needs of women are not distinguished by stakeholders in planning activities and workshops.

**Challenges**

388. Initiatives undertaken should be sustainable and they should reach out to target populations.

389. In light of the global economic context, there is a need to rethink the existing policies and/or come up with appropriate social and economic benefits in favour of women.

390. Gender should be seen as a cross-cutting issue and therefore mainstreamed into national developmental policies and programmes, and adequately budgeted for.

**Article 14****Rural women**

391. The last CEDAW report for Mauritius provides a comprehensive overview of rural women. The facilities as well as measures mentioned are still ongoing and several stakeholders provide them. Other measures taken in the field of education, health, employment and income-generating activities are accessible to all women in the country.

392. There is no significant difference in the services being put at the disposal of both rural and urban women because of the smallness of the country.

**Consolidation of the institutional framework**

393. The MWRCDFW undertakes various outreach programmes through its decentralized services i.e. Women Centres to reach out to its clientele comprising both rural and urban women and these centres are distributed in an equitable manner in each of the nine districts. Since 2006, the MWRCDFW has invested massively in the provision of appropriate and modern infrastructural bases for women from both rural and urban areas, namely the setting up of the Pont Lardier Empowerment Centre situated on the outskirts of eastern region; another is the Triolet Women Empowerment Centre situated in the north of the country. Both Centres provide a plethora of activities geared towards the socio-economic empowerment of women.

**Programmes initiated through Participatory Advisory Committees (PACs)**

394. Conscious of the need to promote a forum where women (both rural and urban) can participate actively in decisions related to their welfare and empowerment, the MWRCDFW has set up Participatory Advisory Committees (PACs) in each Women Centre. The PAC comprises representatives of various stakeholders and interest groups at local and community levels. PACs also act as an interface between the National Gender Machinery (NGM) and the community by adopting a bottom-up approach to national development whereby strategic and practical needs of the rural and urban community, in particular women, are taken into consideration. An Action Plan (2009–2010) in the different areas of development prioritized by PAC has been elaborated and is being implemented accordingly.

**Networking of the NWC in the creation of cooperative unions amongst women**

395. The National Women's Council has been instrumental in bringing out a change in the mindset of the womenfolk by their active participation in the various programmes and

activities. In line with the actions of the MWRCDFW, the NWC has come up with various innovative programmes to encourage women to be economically self-sufficient, including the setting up of cooperative credit unions. To date some 500 women have been grouped into cooperatives and 2000 women have been sensitized on the benefits associated with the programme.

#### **Accessibility to IT for women across the island**

396. Conscious of the upcoming technologies, the MWRCDFW with the support of the private sector and other key partners has gone further by allowing rural women to get access to IT. Various Net PCs with internet and updated software programmes have been put at the disposal of those women at Women Centres.

397. To facilitate networking, E-services are also provided to women in general thus enabling them to directly register themselves for courses and other activities as per their interests.

398. The Ministry of Information Technology and Communication regularly conducts induction programmes on Information and Communication Technologies (ICT) through its mobile caravan and accommodate rural women to access those facilities.

399. The NEF supports women's groups coming from both urban and rural regions, relying on the community level relays (NGOs) in order to enhance outreach to most vulnerable groups, for instance, beneficiaries under the SPUW include people from Dubreuil, Bambous, Grand Sable, Mahebourg (rural areas). Where required these groups are encouraged to set up self-help groups, cooperatives or companies in order to generate the necessary leverage for their projects to become more successful.

#### **Constraints**

400. In spite of Government's investment in infrastructural support, decentralized services and other capacity-building programmes, there remains a category of women who, bound by cultural barriers, still hesitate to avail of existing opportunities. Moreover, the remoteness of some regions deprives women of easy access to services being offered.

#### **Challenge**

401. Government needs to strategize on tailor-made services so as to mainstream rural women in all development programmes.

402. Capacity-building of NGOs, mentors and individuals supporting project implementation is required in order to best service the needs of vulnerable groups including women groups.

### **Article 15**

#### **Equality before the law and in civil matters**

##### **Section 3 of the Constitution**

403. Section 3 of the Constitution provides that "there have existed and shall continue to exist without discrimination by reason of race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, each and all of the following human rights and fundamental freedoms:

(a) The right of the individual to life, liberty, security of the person and the protection of the law;

(b) Freedom of conscience, of expression, of assembly and association and freedom to establish schools; and

(c) The right of the individual to protection for the privacy of his home and other property and from deprivation of property without compensation;

and the provisions of this section shall have effect for the purpose of affording protection to those rights and freedoms subject to such limitations of protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of those rights and freedoms of others or the public interest.

404. Refer to Article 1 (under paras. 126 and 127).

405. Section 4 of the Training and Employment of Disabled Persons Act provides for a Board which shall prevent discrimination against disabled persons resulting from or arising out of their disability.

#### **Accessibility and parking**

406. Section 15(A)(1) of the Building (Amendment) Act 2001 provides that the Authority may, in respect of the construction of a building, or extensive alterations, additions or repairs to a building, to which the public may have access, impose such conditions as it thinks fit for the provision of suitable means of access to any part of the building, car park or curtilage for the use of the building and its facilities for disabled persons, and Section 15(A)(2), the Authority may, in respect of any new building, impose such conditions as it thinks fit for the provision of parking spaces.

#### **Policy decision**

407. The issue of ratification for the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa is being looked into.

#### **Succession**

408. Article 767 of the Civil Code provides for a surviving spouse to inherit on equal standing with a child upon demise of the other spouse. However, the Constitution allows enactment of personal laws which may provide for matters relating to, inter alia, devolution of property.

### **Article 16**

#### **Equality in marriage and family law**

409. Both spouses have equal rights, obligations and responsibilities towards each other.

#### **General comment**

410. The lead agency has adopted a different methodology to present its combined sixth and seventh report 2009. It has analysed the achievements, constraints, challenges and opportunities available to deal with sector specific issues pertaining to the promotion and protection of women's equal human rights.

411. However, it may not often be pragmatic for the lead agency to formulate specific recommendations as implementation thereof do not necessarily fall under the purview of the lead agency, which is only a policymaking and monitoring body. Hence avenues of opportunities and challenges identified have been spelled out. Nevertheless, the Government will strengthen activities pertaining to advocacy and lobbying so that gender is

effectively mainstreamed in all its programmes and that gender-responsive budgeting is implemented.

#### **IV. Conclusion**

412. The financial crisis is pushing the whole world into recession. It has started in the developed countries and has rapidly reached developing ones. Undoubtedly, the negative effects of the financial crisis will be felt disproportionately in developing and least developed countries, that is, due to the overall global economic contraction, the poorest of the poor are those who will be impacted the most.

413. The economic recession will put more pressure on the functions of the MWRCDFW especially where women and children are concerned. In the employment sector, women run the risk of being hired last and dismissed first. As the gender pay gap increases, so will women's financial dependency. In view of their triple roles as "women, mothers and wives" women will be more affected by the negative consequences of the economic crisis and also in different ways than men. It is expected that in order to "make ends meet", women will smooth their incomes through increased labour force participation, more commonly in the informal sector with no social security benefits and less effective safety nets. Female-based households are at a greater risk, with few, if any, saving to weather the crisis, and limited ownership of wealth and other assets, as compared to men.

414. The crisis has major implications for the country's economic and social resilience and also for children, given their vulnerabilities.

415. The Government's response to the impact of the global crisis will increase considerably and whatever measures are being taken will have to be addressed in a different perspective bearing in mind its mode of operation in terms of service delivery catering for the most needy who are being directly and indirectly affected by the recession. Such services would further respond to the prevailing socio-economic conditions to meet the emerging needs of the womenfolk.

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