



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

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-sixth session

7-25 August 2006

### List of issues and questions with regard to the consideration of periodic reports

#### Mauritius

The pre-session working group examined the combined third, fourth and fifth periodic report (CEDAW/C/MAR/3-5).

#### Constitutional, legislative and institutional framework and status of the Convention

1. Please clarify further the legal status of the Convention in Mauritius, in particular, clarify whether the Convention is directly applicable in the national courts? Please provide information on cases, if any, where the Convention has been directly invoked in domestic courts.
2. The Sex Discrimination Act (2002) sets up a mechanism to address violations of women's rights detailed in the Act (see p. 24). Please provide data on the number of cases filed under the Act and their outcome. Indicate what recourse can be taken if conciliation efforts do not resolve a complaint.
3. What measures have been taken to ensure that women know the provisions of the Sex Discrimination Act? In addition, describe any programmes that might be in place to sensitize the judiciary and law enforcement personnel about the Act.
4. The report mentions the existence of "personal laws" (see p. 23) which are exempted from the non-discrimination protection of the Constitution. Indicate whether any steps have been taken to eliminate these discriminatory provisions. Also provide information as to what percentage of women are married under the civil marriage law compared to "personal laws".



**National machinery and gender mainstreaming**

5. According to the report, the Government approved the National Gender Action Plan in 1999 (see p. 25) and implemented a gender and development project. Please provide information on the impact of the Action Plan and the project and identify the obstacles encountered in the effective implementation and steps taken to overcome them. Indicate whether gender responsive budgeting has been introduced to all line ministries and what the effect of this measure has been.

6. The report states that the system of gender focal points in each Ministry is not effective (see pp. 27 and 28). Please provide information on efforts to improve the system and ensure that gender perspectives are mainstreamed into all programmes and policies.

7. Please provide information on the extent of human and financial resources for the implementation of the Convention outside the budget of the Ministry of Women Rights, Child Development and Family Welfare.

**Stereotypes**

8. The report states that "... as far as sex roles and responsibilities in the family are concerned, men are still considered the main breadwinner and women's primary responsibility is still household chores" (see p. 35). The report mentions a "Man as partners" programme, which has been targeting men in the education campaign to change society as a whole. Please provide information on the impact of this programme, as well as about any other measures in place that target women in efforts to change gender-role stereotypes.

**Violence against women**

9. The report provides information on the Protection from Domestic Violence Act of 1997. Please provide further details on the sanctions established for perpetrators; the number of cases filed under the Act; the number and percentage of reports that have resulted in either a court decision or other types of follow-up; and information on the systematic collection of data on violence against women and girls.

10. Please assess the effectiveness of the Family Support Bureau (see p. 16) in addressing domestic violence. According to the report, the definition of domestic violence in the Protection from Domestic Violence Act was to be amended to expand it beyond spousal abuse (see p. 22). Please provide an update on the status of the intended amendment and its precise content.

11. Please indicate whether the Government intends to adopt a comprehensive plan or strategy to combat all forms of violence against women and girls. Describe in particular any awareness-raising programmes that are in place, including training for law enforcement officers and the judiciary.

12. The report refers to the Sexual Offences Act (2003) (see p. 35). Please provide data on sexual offences in Mauritius and on sanctions for such offences. This should include data on the number of cases prosecuted since the Act came into force and what services are available to victims of sexual violence.

**Exploitation of prostitution and trafficking**

13. The report describes research on the commercial sexual exploitation of children, but does not provide similar information on adult women prostitutes. Please indicate what measures are being taken to protect prostitutes from exploitation.

14. Please indicate whether any measures are in place to provide skills training for prostitutes who want to leave prostitution.

15. Please provide any information that might relate to the phenomenon of trafficking in women and children in Mauritius.

**Public representation**

16. According to data collected by the Inter-Parliamentary Union, the representation of women in the national parliament has increased to 17 per cent. Indicate whether any measures have been taken to reach the goal of 30 per cent representation of women set by the Southern African Development Community, which was to be achieved by 2005.

**Employment**

17. Please provide updated information on the review of job appellations in the public sector and the role of the Ministry of Civil Service Affairs in this respect (see p. 34).

18. Provide information on the percentage of women employed in the export processing zones compared to other sectors, as well as on the conditions of work in the export processing zones, as requested by the Committee in its most recent concluding comments.

19. Indicate to what extent women are employed in executive positions in the private sector.

20. Indicate whether women are still barred from certain categories of jobs and whether it is still not allowed to employ women during night hours.

21. The report provides no information on the wages of women and men. Please provide information on the wage gap between women and men and on any measures taken by the Government in this area.

**Health**

22. Provide information on the percentage of women of childbearing age who use contraceptives.

23. Please describe the implementation of the National Strategic Plan to combat sexually transmitted diseases, including HIV/AIDS, with a special focus on the needs of women and girls.

24. In 2005, the Human Rights Committee noted that “section 235 of the Penal Code penalizes abortion even when the mother’s life is in danger, and thus may encourage women to resort to unreliable and illegal abortion, with inherent risks for their life and health” (CCPR/CO/83/MUS, para. 9). Please provide information on the situation of pregnant women whose lives are in danger. Also indicate whether

the State party intends to amend the Penal Code to allow abortion in such exceptional cases, and if so, when.

**Optional Protocol**

25. Mauritius signed the Optional Protocol in November 2001. Kindly indicate any progress towards accession.

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