



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

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

**Information received from Mauritius on follow-up to the
concluding observations on its eighth periodic report*****

[Date received: 2 November 2020]

* The present document is being issued without formal editing.

** The annex to the present document may be accessed from the web page of the Committee.



1. In its Concluding Observations regarding the 8th Periodic Report of Mauritius, the Committee on the Elimination of all Forms of Discrimination against Women requested Mauritius to provide, within two years, information on the implementation of the specific recommendations identified at paragraphs 16, 18 (b), 38 (c) and 40. The status concerning the recommendations are provided below.
2. The State of Mauritius has taken note of the Concluding Observations and is committed to implementing the recommendations of the Committee through legislative measures, adequate policies and appropriate programmes.
3. An updated status report on the implementation of the recommendations is hereunder:

Follow-up information relating to paragraph 16 of the concluding observations (CEDAW/C/MUS/CO/8)

4. The State of Mauritius proposes to come up shortly with a Gender Equality Bill with a view to setting up a strong and comprehensive legal framework for gender mainstreaming. The Bill is currently at drafting stage. Gender equality remains a priority and ranks high on the agenda of the State of Mauritius. The Local Government Act of 2011 provides that out of the three candidates fielded for elections, at least one of them should be of the opposite sex. It was further amended in 2015 to ensure a fair and adequate representation of women for the elections of councillors to the Municipal City Council and Municipal Town Council. Every group presenting more than 2 candidates at an election of a Municipal City Council or Municipal Town Council as well as at Village Council level, shall ensure that not more than two thirds of the group's candidates should be of the same sex. Similarly, the provision applies for election of councillors to village council as prescribed by section 12(6) of the Local Government Act. It is expected that the Village Council Elections scheduled to be held on 22 November 2020 will see increased participation and representation of women at Village Council level.
5. The proposed Gender Equality Bill includes temporary special measures and other measures aimed at accelerating the achievement of *de facto* equality of men and women to enable women to participate meaningfully in decision-making, education and employment amongst others. An outline of the Gender Equality Bill is provided at Annex.¹
6. The Gender Focal Points and their alternates, who are senior officers of various Ministries/Departments, have already been provided with an exposure on the concept of temporary special measures. Moreover, they have been provided with a list of glossary on gender issues including temporary special measures. Additional training has also been dispensed to them on topics such as definition of Gender Concepts, Relevance of Gender Mainstreaming and Gender Mainstreaming in Sectoral Action Plans, amongst others.
7. The training sessions were facilitated by Mrs. Winnifred OSIMBO-LICHUMA, International Consultant and Gender Expert from Kenya, whose technical assistance were made available by the European Union and United Nations Development Programme.
8. The Ministry of Gender Equality and Family Welfare is currently devising a pamphlet entitled "CEDAW: A Road Map for Implementation" which would encompass the recommendations of the Committee on the temporary special

¹ The drafting instructions of the Gender Equality Bill are under review and may not necessarily reflect what is listed in the outline.

measures. The pamphlet would be widely disseminated among all stakeholders once completed.

Follow-up information relating to paragraph 18 (b) of the concluding observations

Marital rape

9. Though there is no specific law on marital rape, the Protection against Domestic Violence Act (PDVA) has been amended in June 2016 with a view to widening the definition of Domestic Violence. Sexual violence is now an act of domestic violence as defined in section 2 of the Protection from Domestic Violence Act is reproduced hereunder:

“domestic violence” includes any of the following acts committed by a person against his spouse, a child of his spouse or another person living under the same roof -

(...)

(d) compelling a spouse or the other person by force or threat to engage in any conduct or act, sexual or otherwise, from which the spouse or the other person has the right to abstain”.

10. Statistics pertaining to reported cases of sexual violence and exploitation, including convictions for the period 2018 and 2019, for the Republic of Mauritius, are provided below.

Reported number of cases of sexual violence and sexual exploitation 2018–2019

<i>Year</i>	<i>Sexual violence</i>	<i>Sexual exploitation</i>	<i>Total</i>
2018	464	156	620
2019	481	198	679

Source: Mauritius Police Force.

Convicted cases on sexual violence and sexual exploitation 2018–2019

<i>Year</i>	<i>Sexual violence</i>	<i>Sexual exploitation</i>	<i>Total</i>
2018	117	44	161
2019	119	67	186

Source: The Judiciary.

Convicts admitted to prisons for sexual violence and sexual exploitation 2017–2019

<i>Year</i>	<i>Sexual violence</i>	<i>Sexual exploitation</i>	<i>Total</i>
2017	37	4	41
2018	33	10	43
2019	32	10	42

Source: The Mauritius Prison Service.

Number of registered cases of sexual violence reported at Family Support Bureaux 2017–2019

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2017	6	45	51
2018	0	26	26
2019	0	15	15

Source: Ministry of Gender Equality & Family Welfare.

Number of registered cases of sexual abuse including incest reported at Child Development Unit 2018–2019

<i>Year</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2018	30	331	361
2019	58	398	456

Source: Ministry of Gender Equality & Family Welfare.

11. Moreover, an Inter-Ministerial High-Level Committee on Gender-Based Violence (GBV) under the chairmanship of the Prime Minister has been set up to address the scourge of GBV. The mandate of the High-Level Committee on the elimination of GBV is to:

(a) Assess the current state of affairs with regard to the elimination of GBV in terms of legislative framework and its enforcement, policies, procedures and awareness/sensitisation campaign undertaken; and

(b) To identify problem areas and formulate a new strategy to eliminate GBV.

12. The services of Mr. Jason Meyer, an International Consultant from the United Nations Development Programme, have been retained to come up with a Strategy on Addressing Gender Based Violence. A GBV mobile application is concurrently being developed to ensure rapid response to cases of GBV.

Corporal punishment in all settings

13. Provisions for prevention of corporal punishment in all settings will be included in the revised version of the forthcoming Children’s Bill, which is expected to be introduced in the National Assembly in November 2020.

14. The revised draft Bill includes, *inter alia*, the following provisions:

(i) “No parent or other person responsible for the care, treatment, education or supervision of a child shall inflict corporal or inflict humiliating punishment on the child as a measure to correct or discipline the child;

(ii) Any person who contravenes subsection (1) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years; and

(iii) “Corporal or humiliating punishment” means any form of punishment which causes pain or suffering to a child through, but not limited to, the use of force or use of substances”.

15. It is worth mentioning that the previous version of the Children’s Bill was introduced in the National Assembly on 17 September 2019. The Bill could not be passed as the National Assembly was dissolved on 06 October 2019 due to General

Elections which were held in November 2019. Subsequently, the draft Children's Bill has been reviewed and consolidated in line with new policy orientations.

Follow-up information relating to paragraph 38 (c) of the concluding observations

16. The definition of the child in the draft Children's Bill is "a person under the age of 18". A policy decision is required regarding the repeal of Article 145 of the Civil Code Mauricien allowing the marriage of minors aged between 16 to 18 years:

- (i) With parental consent or person having parental authority; or
- (ii) In the absence of parental consent, an exemption from the age requirement given by the Judge in Chambers of the Supreme Court will be repealed.²

Follow-up information relating to paragraph 40 of the concluding observations

17. The State of Mauritius is committed to addressing Gender Based Violence (GBV) and in this respect, a Gender Based Violence Observatory will be set up. The observatory will draw together all data, both quantitative and qualitative for that purpose. This will offer an intersectional view of GBV across genders, communities and in the implementation of law and policy.

18. With the support of United Nations Development Programme, the Ministry of Gender Equality and Family Welfare received technical assistance of an International Consultant from Flinders University, Australia, on the setting up of an Observatory on GBV in the Republic of Mauritius. Consultations to that effect were held in Mauritius and in Rodrigues in December 2019 and the Ministry pursuing with the project. It is expected that the Observatory will be set up within one year. The Observatory, once operational, would be the central agency for the investigation and analysis of information with respect to all forms of GBV. It will also be a repository for all published works and reports that deal with GBV, for data collection across organisations dealing exclusively with GBV; and provide a collaborative environment in which institutions, GBV service staff and all those with special expertise in the field would meet on a regular basis to discuss GBV issues arising nationally and regionally.

19. The establishment of a central database is pivotal to the work of the development of the GBV Observatory. A Gender Based Violence Management Information System (GBVIMS) will be implemented to enable harmonisation of data collection by GBV service providers. The intention of the GBVIMS is both to assist service providers to better understand the GBV cases being reported as well as to enable sharing of data across diverse agencies to facilitate broader trends analysis and improved GBV coordination.

20. An amount of RS 1M (USD25000) has been earmarked in the Budget 2020/21 for the setting up of the Observatory on Gender Based Violence. The Ministry of Gender Equality and Family Welfare is currently finalizing an Expression of Interest to invite Universities/Research Institutions/and other interested parties to submit their proposal for the setting up and operationalization of the Observatory on GBV.

² The repeal of Article 145 to 148 of the Code Civil Mauricien will be addressed in the context of the Children's Bill due to be introduced in the National Assembly.