



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the ninth periodic report of Mauritius\*

#### General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity, geographical location and socioeconomic background, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

#### Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises

2. Please describe efforts made and mechanisms put in place to contend with the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity and energy crises. Please provide information on strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises and in elaborating adequate responses, such as policies, the scope of essential services, assistance programmes, recovery efforts and the application of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in these processes and to ensure that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

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\* Adopted by the pre-sessional working group on 1 November 2023.



**Visibility of the Convention and legal complaint mechanisms**

3. In the light of the Committee's previous recommendations (para. 12),<sup>1</sup> please provide information on the efforts made to give visibility to the Convention and the Optional Protocol thereto, including any awareness-raising campaigns among the general public, including women and girls, about the prohibition of discrimination against women. Please also specify measures taken to provide systematic capacity-building or regular training to judicial and law enforcement personnel, as well as to legal practitioners, on the application of the Convention and the interpretation of national legislation in the light thereof, in court proceedings. Furthermore, please provide updated information on the number of court decisions referring to provisions of the Convention.

**Legislative framework and definition of discrimination**

4. In the light of the Committee's previous recommendations (para. 10), and in accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please report on the steps taken to:

- (a) Adopt a comprehensive definition of discrimination against women that covers direct and indirect discrimination, including intersecting forms of discrimination, in both the public and private spheres;
- (b) Amend or repeal article 16, paragraph 4 (c), of the Constitution, according to which matters relating to personal status are exempted from the prohibition of discrimination, as well as any other existing discriminatory laws and regulations that are incompatible with the Convention.

**Women's access to justice**

5. Please provide information on:

- (a) Measures taken to review judicial complaint mechanisms with a view to enhancing access to justice and removing barriers that prevent women from filing complaints of gender-based discrimination against them;
- (b) The availability of affordable and, if necessary, free quality legal aid for women seeking justice in the State party and the number of women beneficiaries of such aid over the past four years;
- (c) Steps taken to enhance women's awareness of their rights and legal literacy in all areas of the law;
- (d) The review of judicial practices in cases of domestic violence, and measures taken to strengthen the capacity of judges, prosecutors, the police and other law enforcement officials to apply gender-sensitive interrogation and investigation procedures and eliminate judicial gender bias.

**National machinery for the advancement of women**

6. In the light of the Committee's previous recommendations (para. 13), please indicate whether the State party has adopted a national action plan for women. Please also indicate the measures taken to strengthen the national machinery for the advancement of women, including by ensuring that it has adequate human, technical and financial resources. Please provide information on the progress made in

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the eighth periodic report of the State party ([CEDAW/C/MUS/CO/8](#)).

establishing an efficient monitoring and evaluation mechanism to improve the coordination of gender equality policies at all levels.

### **Temporary special measures**

7. Please provide updated information on any temporary special measures taken by the State party, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the realization of substantive equality between women and men in all areas covered by the Convention, in which women are underrepresented or disadvantaged, such as participation in political and public life and employment. Please also provide information on awareness-raising campaigns, targeting governmental officials, policymakers, employers and the media, on the non-discriminatory nature and necessity of temporary special measures. Please also provide information on progress made towards enacting the gender equality bill, and the nature of the temporary special measures included under this bill.

### **Gender stereotypes**

8. Please provide information on measures taken to combat and eliminate gender stereotypes in the State party. Please provide specific information on measures beyond school courses and workshops on values to challenge traditional gender stereotypes of male domination in the family and raise awareness of gender equality among girls and boys in schools, traditional communities and the general public, as well as the media. Please also indicate whether the State party has adopted a comprehensive strategy to eliminate discriminatory gender stereotypes against women and girls, as previously recommended by the Committee (para. 18 (a)).

### **Harmful practices**

9. Please provide information about any measures taken to develop and implement a comprehensive strategy to eliminate harmful practices, including female genital mutilation and child and/or forced marriage, as well as statistical data on the prevalence of these harmful practices against women and girls, disaggregated by age, ethnicity, race, socioeconomic status, nationality, disability, albinism and any other relevant factors. In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, please provide information on redress provided to women and girls who have been subjected to female genital mutilation or child and/or forced marriage; rehabilitation and other support services for victims; and any mechanisms in place to track cases of child and/or forced marriage. Please also indicate the number of prosecutions and convictions, as well as the sentences imposed on the perpetrators of these harmful practices, and the progress achieved in the ongoing dialogue with religious leaders.

### **Gender-based violence against women**

10. Please provide information on specific measures taken to address the high incidence of gender-based violence against women in the State party, including the adoption of legislation to explicitly criminalize marital rape. Furthermore, please specify any steps taken towards setting up a data-collection mechanism on gender-based violence against women and girls, in line with the Committee's previous recommendations (para. 18 (g)).

11. Please provide information on measures taken to:

(a) Provide victims with effective protection, including protection orders, rehabilitation and remedies, including compensation;

- (b) Ensure and monitor the police response to complaints about gender-based violence against women, give priority to the formal justice system over traditional courts or mediation and reconciliation procedures in cases of domestic violence, and ensure that perpetrators are prosecuted and punished;
- (c) Strengthen victim support services and expand the number of shelters for women and girls who are survivors of domestic and other forms of gender-based violence and ensure that they are adequately resourced and accessible in all districts of the State party;
- (d) Provide targeted, mandatory capacity-building activities on the prevention and detection of, and the response to, all forms of gender-based violence, including domestic violence, for law enforcement and judicial officials, health and social workers and other professionals who deal with victims of gender-based violence;
- (e) Provide protection for women and girls from abuse in sport and cyberviolence.

### **Trafficking and exploitation of prostitution**

12. Please provide information on measures taken to prevent and eliminate trafficking in women and girls and address its root causes, in line with the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration. Please also provide information on the human, financial and technical resources allocated for the implementation of the Combating of Trafficking in Persons Act (2009) and the national action plan to combat trafficking in persons 2022–2026. Please also provide information on measures taken to discourage the demand for prostitution and address the situations of vulnerability that contribute to the exploitation of women and girls in prostitution, as well as on exit programmes and the provision of alternative income-generating opportunities for women who wish to leave prostitution.

13. Please provide information on measures taken to:

- (a) Strengthen capacity-building for law enforcement officials, social workers and health professionals on the early identification and referral to appropriate services of victims of trafficking and women and girls at risk, in particular migrant women and unaccompanied girls;
- (b) Address the low number of complaints, investigations, prosecutions and convictions, and the lenient sentences in cases of trafficking in women and girls;
- (c) Ensure the protection of women and girls who are victims of trafficking and provide them with free and immediate access to temporary residence permits, specialized shelters, medical care, psychosocial counselling, legal aid and rehabilitation and reintegration services, irrespective of their ability or willingness to cooperate with the prosecution authorities.

### **Participation in political and public life**

14. Please provide information on measures, including temporary special measures, in line with article 4 (1) of the Convention and general recommendation No. 25, such as electoral quotas and the accelerated recruitment of women to the public service, to increase the participation of women in political and public life at the national and local levels, in particular at decision-making levels, with a view to reaching parity, along with disaggregated data on the number of women who participate in diplomatic missions, the judiciary, police, peacekeeping and all other sectors. Please also provide information to the Committee on specific efforts to address gender-based violence, hate speech and structural, social and cultural barriers faced by women entering

political life or holding public office. Please provide further information on the measures taken to promote women's leadership and provide campaign financing and training for women candidates on election campaigning and negotiation skills. Please also provide information on legal and administrative measures taken to protect the human rights of women politicians and human rights defenders.

### **Education**

15. Please provide information on measures taken by the State party to remove all barriers faced by women and girls in accessing education. Please also provide disaggregated data on school completion and transition rates in the State party. Please indicate any measures taken by the State party to introduce human rights education in the school curricula and educational materials and to promote the enrolment of women and girls in non-traditional fields of study, including science, technology, engineering and mathematics and information and communications technology, to women and in-school and out-of-school girls at all levels, including in early childhood, elementary and tertiary/vocational education.

### **Employment**

16. Please indicate the measures taken to:

- (a) Combat pregnancy- and maternity-based discrimination in recruitment processes and sexual harassment in the workplace and to strengthen accountability mechanisms;
- (b) Enforce the principle of equal pay for work of equal value to eliminate the gender pay gap, address horizontal and vertical segregation in the labour market and increase women's representation in decision-making positions, including in the private sector;
- (c) Promote the equal sharing of household and childcare responsibilities between women and men, including by ensuring adequate maternity benefits, paid parental leave and pension benefits for women who are absent from work because of childcare responsibilities;
- (d) Measures taken to extend labour protection to women working in the informal economy, including migrant women, and to facilitate their transition to the formal economy.

### **Health**

17. Please indicate whether the State party has legalized abortion, at least in cases of rape, incest, threat to the life or health of the pregnant woman and severe fetal impairment, and whether it has decriminalized it in all other cases. Please provide data on: (a) the prevalence of early pregnancies and unsafe abortions in the State party, disaggregated by age, district and economic status of the woman; and (b) the number of women in prison for having undergone an abortion. Please provide information on the incidence of unsafe abortions and their impact on women's health, including maternal mortality ratios. Please inform the Committee of efforts to reduce the maternal mortality rate. Please indicate whether any research has been conducted on the root causes of early pregnancy. Please describe the measures taken to address the persistent discrimination against and stigmatization of women living with HIV/AIDS and to prevent mother-to-child transmission of HIV/AIDS. Please also provide data on the number of new HIV diagnoses among girls and women in the State party and indicate whether a gender perspective has been integrated into existing programmes to combat HIV and other sexually transmitted infections.

### **Economic empowerment of women**

18. Please provide information on steps taken to ensure gender-responsive programming in poverty reduction strategies and the meaningful participation of women, including women belonging to disadvantaged groups, in the formulation and development of poverty reduction and eradication strategies. Recalling the Committee's previous recommendations (para. 30), please provide statistical data, disaggregated by age, disability, ethnicity, location and socioeconomic status, and other gender-relevant indicators on poverty levels among women, in particular groups of women in vulnerable situations, and the degree to which women benefit from existing anti-poverty initiatives.

### **Disadvantaged groups of women**

19. In view of the intersecting forms of discrimination faced by disadvantaged groups of women, please provide information on the situation of older women; migrant and rural women; Creole women; women in detention; lesbian, bisexual, transgender and intersex women; and women with disabilities. Please also indicate the measures taken to ensure that women belonging to disadvantaged groups have access to health-care services, social benefits, education and participation in political and public life. Please provide information on measures taken to adopt an adequate legal and policy framework to guarantee the security and protection of refugee and asylum-seeking women, and on measures taken to increase the access of refugee and asylum-seeking women and girls to basic services and ensure that they are not subjected to gender-based violence and sexual and labour exploitation. Please provide information on measures taken to ensure that women and girls with disabilities have adequate access to justice, inclusive education, education and health care, including sexual and reproductive health services, and employment. Please also indicate any temporary special measures, including quotas, taken by the State party to increase the number of women with disabilities employed in the public service and the private sector, and the number of those enrolled in higher education institutions.

### **Women in detention**

20. Please provide information on the number of women who are currently deprived of their liberty, disaggregated by age and place of detention, including prisons and police stations. Please also provide information on detention conditions for women and their children, in particular whether they have access to education, professional training, recreational activities, health care, including sexual and reproductive health services, hygiene products and regular family visits. Please indicate the measures taken to ensure that the conditions for women in detention are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), that they are protected from gender-based violence, including sexual violence, and that women in pretrial detention are brought promptly before a judge to ensure their right to trial within a reasonable time or to release, in line with international human rights standards.

### **Marriage and family relations**

21. Please provide statistical data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, on the number of child marriages, unregistered religious marriages and polygamous unions in the State party. Please also provide information on steps taken to prohibit polygamy and ensure the protection of the economic rights of women in existing polygamous unions and unregistered religious marriages. Please indicate whether the State party has adopted a harmonized family law to ensure that women and men have the same rights and responsibilities during

marriage and at its dissolution and with regard to inheritance, joint marital property and child custody. Please indicate whether section 254 (1) of the Civil Code, which excludes women who are considered to be “at fault” for a divorce from the right to alimony under section 255, has been repealed.

### **Climate change**

22. In the light of the Committee’s previous recommendations (para. 36) and its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide information on the involvement of women in the formulation and implementation of legislation, policies and strategies on climate change, disaster response and disaster risk reduction, and post-disaster management. Please also provide information on measures taken to mainstream a gender perspective into national disaster risk reduction management and relief and recovery strategies. Please provide information, including statistical data, on the impact of climate change and natural disasters on women and girls in the State party. Please provide information on measures taken by the State party to increase the utilization of renewable and clean energy among women.

### **Sustainable Development Goals**

23. Please provide information about measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals.

### **Data collection**

24. Please provide information on steps taken to enhance data-collection systems to ensure the collection of data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, in particular on the situation in Rodrigues, Agalega and other remote parts of the territory of the State party, to assess the realization of substantive equality between women and men in all areas covered by the Convention, in particular in relation to education, employment and eliminating child marriage, adolescent pregnancy, trafficking in women and the exploitation of women in prostitution.

### **Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee’s concluding observations since the consideration of the previous periodic report (CEDAW/C/MUS/8) on 19 June 2018. Such measures may include recent laws, developments, plans, programmes and ratifications of human rights instruments, as well as any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised in the present document, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.