



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### **Sixth periodic report submitted by Mauritius under articles 16 and 17 of the Covenant, due in 2024\* \*\***

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\* The present document is being issued without formal editing.

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



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## Introduction

1. In accordance with Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, the Republic of Mauritius is pleased to submit its Sixth Periodic Report which informs of the progress made in respect of implementation, of the covenant and the concluding observations made by the Committee on Economic, Social and Cultural Rights during the last review held in February 2019 when it considered the fifth periodic report of Mauritius.

### I. Part one

#### Article 1 Self-determination

2. The Republic of Mauritius is a sovereign democratic state of around 1.3 million inhabitants which obtained independence in 1968 and became a republic in 1992. Section 1 of the Constitution clearly states this sovereign status. The Constitution is the supreme law of Mauritius and provides for the protection of human rights and fundamental freedoms of individuals. Free and fair local and national elections are held at regular intervals as per the Representation of the People Act 1958 and Local Government Act 2011 under the supervision of an independent supervisory commission.

#### The Chagos Archipelago

3. The Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius, as authoritatively determined by the International Court of Justice (ICJ) in its Advisory Opinion of 25 February 2019<sup>1</sup> on the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965. In its Advisory Opinion, the ICJ determined that:

(a) The decolonisation process of Mauritius was not lawfully completed upon its accession to independence in 1968, in view of the unlawful excision of the Chagos Archipelago from Mauritius;

(b) The United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible;

(c) Since respect for the right to self-determination is an obligation “erga omnes” all States have a legal interest in protecting that right. Therefore, member States are under an obligation to cooperate with the United Nations in order to complete the decolonisation of Mauritius;

(d) The authoritative determinations of the ICJ were fully endorsed by the UN General Assembly<sup>2</sup> and a Special Chamber of the International Tribunal for the Law of the Sea (ITLOS).<sup>3</sup>

4. In its Resolution 73/295, the UN General Assembly reaffirmed that the Chagos Archipelago forms an integral part of the territory of Mauritius and demanded the United Kingdom to withdraw its colonial administration from the Chagos Archipelago unconditionally within no more than six months, i.e. by 22 November 2019. The United Kingdom failed to meet that deadline.

<sup>1</sup> Advisory Opinion of the International Court of Justice on the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965.

<sup>2</sup> GA Res 73/295, 73rd sess, 83rd plen mtg, Agenda Item 88, Supp No 49, UN Doc A/RES/73/295 (24 May 2019).

<sup>3</sup> Delimitation of the Maritime Boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives) (Preliminary Objections) (International Tribunal for the Law of the Sea, Case No 28, 28 January 2021) 72-73.

5. In its Judgment of 28 January 2021 on the preliminary objections raised by Maldives in the maritime delimitation case brought by Mauritius against that State, the Special Chamber of ITLOS held that the determinations made by the ICJ in its Advisory Opinion of 25 February 2019 have legal effect and confirmed that Mauritius has undisputed sovereignty over the Chagos Archipelago.

6. The illegal excision of the Chagos Archipelago also involved the forcible removal by the United Kingdom of the Mauritians who were residing at the time in the Archipelago (“Chagossians”) in total disregard of their human rights. Most of the Chagossians were moved to Mauritius.

7. Chagossians, being fully-fledged citizens of Mauritius, enjoy the same rights as other Mauritian citizens. However, with a view to improving their well-being, the Government of Mauritius has taken and continues to take special measures in their favour. These measures include the donation of land for the construction of houses and the setting up of the Chagossian Welfare Fund. The Chagossian Welfare Fund has over the past few years taken several measures in favour of the Chagossians, including:

- (a) Scholarships to eligible students of the Chagossian community;
- (b) Offer of motivational prizes to young graduates of the Chagossian community;
- (c) Grants/financial assistance to students of the Chagossian community attending universities and vocational institutions;
- (d) Provision of sports facilities and equipment for recreational purposes and wellness of the Chagossian community;
- (e) Residential camp for senior citizens of the Chagossian community;
- (f) Distribution of provisions (edible items) to senior citizens and bedridden persons of the Chagossian community;
- (g) Recreational activities for primary and secondary school students of the Chagossian community;
- (h) Assistance to needy Chagossians for repairs to their houses;
- (i) Visits to Chagossians in homes every three months, during which clothes and fruits are given to them;
- (j) Funeral grants to families of deceased Chagossians and Chagossian descendants;
- (k) Provision of transport facilities to Chagossians who have appointments at hospitals; and
- (l) Upgrading of Chagossian community centres for the conduct of activities, prayers and other events for the Chagossian community.

8. The Government of Mauritius also supports the legitimate aspiration of Chagossians, as Mauritian citizens, to resettle in the Chagos Archipelago and is strongly committed to implementing a resettlement plan in the Chagos Archipelago.

#### **Island of Tromelin**

9. Mauritius has always maintained that the Island of Tromelin forms an integral part of its territory and has consistently asserted its sovereignty over the island, including its maritime zones. There exists, however, a dispute between Mauritius and France over Tromelin as France claims sovereignty over the island.

10. On 07 June 2010, Mauritius signed with France a Framework Agreement on Economic, Scientific and Environmental Co-management relating to the Island of Tromelin and its Surrounding Maritime Areas as well as three Implementing Agreements relating to archaeological research, environmental protection and fisheries resources respectively. These Agreements which have been concluded without prejudice to the sovereignty of Mauritius over Tromelin have not yet entered into force.

### **Right to free disposal of natural wealth and resources**

11. On 1 December 2008, the Republic of Mauritius and the Republic of Seychelles submitted to the Commission on the Limits of the Continental Shelf<sup>4</sup>, in accordance with Article 76, paragraph 8, of the United Nations Convention on the Law of the Sea, information on the limits of the continental shelf belonging to the Republic of Mauritius and the Republic of Seychelles, which lie beyond 200 nautical miles from the baselines from which the breadth of the territorial sea of the two States is measured in the region of the Mascarene Plateau. On 30 March 2011, the CLCS made recommendations<sup>5</sup> on the Limits of the Continental Shelf in regard to the joint submission made by Mauritius and Seychelles concerning the Mascarene Plateau region. These recommendations enabled the Republic of Mauritius and the Republic of Seychelles being jointly conferred jurisdiction over the joint extended continental shelf area of approximately 396,000 square kilometres in the Mascarene Plateau region. On 12 March 2012, the two coastal States have entered into two bilateral treaties with a view to jointly managing, exploring and exploiting the natural resources found within the said extended continental shelf.

## **II. Part two**

### **Article 2**

#### **Recognition and implementation of rights under this Covenant**

12. Chapter II of the Constitution of Mauritius guarantees the enjoyment of fundamental rights and freedoms of an individual which include the right to life, the right to personal liberty, protection from slavery and forced labour, protection from inhuman treatment, protection from deprivation of property, protection for privacy of home and other property, protection of the law, freedom of conscience, freedom of expression, freedom of assembly and association, freedom of movement and prevention from discrimination.

13. Section 3 of the Constitution entitled “Fundamental rights and freedoms of the individual” provides for the right for every citizen to be treated equally and to live a life free from discrimination. It prohibits discrimination by reason of race, place of origin, political opinions, colour, creed or sex.

14. Section 16 of the Constitution provides that no law shall make any provision that is discriminatory either of itself or in its effect. The section defines the term “discriminatory” as 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 to or are accorded privileges or advantages that are not accorded to persons of another such description.

15. Section 17 of the Constitution provides that any person who alleges that his right under Chapter II of the Constitution, notably sections 3 to 16 has been, is being or is likely to be contravened in relation to him, he may apply to the Supreme Court for redress.

16. The Immigration Act regulates the admission and stay of people in Mauritius. It provides for the conditions under which a person may be allowed to enter Mauritius or, being in Mauritius, may be allowed to remain there. A non citizen should comply with conditions set out under section 8 of the Immigration Act to be eligible to a residence permit. A Resident is allowed to enter Mauritius or, being in Mauritius, to remain there so long as he holds the status of a resident.

<sup>4</sup> [https://www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_musc.htm](https://www.un.org/depts/los/clcs_new/submissions_files/submission_musc.htm).

<sup>5</sup> [https://www.un.org/Depts/los/clcs\\_new/submissions\\_files/musc08/smsrec.pdf](https://www.un.org/Depts/los/clcs_new/submissions_files/musc08/smsrec.pdf).

### Article 3 Gender equality

17. The emancipation of women and their socio-economic and political empowerment stands high on the agenda of Government. Mauritius is committed to promoting gender equality. A National Gender Policy for the period 2022-2030 guided by the Agenda 2030 on Sustainable Development Goals, the Beijing Platform for Action and the African Union's Agenda 2063 was launched in March 2022. It underpins Government's commitment to integrate gender in all planned actions and provides the basis upon which every sector is guided to develop their sectoral gender policies and implementation plans.

18. The National Steering Committee on Gender Mainstreaming was set up in August 2022. The Gender Technical Working Group Committee works with 4 sectors other than the public sector, namely the Private Sector, the Academia, the Media and Civil Society Organisations to drive integration of gender across all spheres. Around 1243 officers benefitted from "Training on Gender Mainstreaming" from March 2023 to January 2024.

19. Three Inter-Ministerial Gender Technical Working Committee since October 2022 and March 2024 were held to ensure that Gender Focal Points of all Ministries take stock of actions being planned from a gender lens within their respective sectors and whether assistance is required. 47 Gender Cells were set up in 25 Ministries.

20. In December 2023, the HeForShe Club was launched in 25 community centres which are working towards community intervention for the modelling of the positive behaviours and masculinity.

21. In the context of International Women's Day 2024, a gender Equality Seal for the Public Sector was launched with the aim of promoting gender equality and women's empowerment within government institutions.

22. The Constitution of Mauritius makes provision for a minimum number of candidates for election to local authorities and to the Rodrigues Regional Assembly to be of a particular sex, with a view to ensuring adequate representation of each sex in elections on a local authority and in the Rodrigues Regional Assembly. The Local Government Act makes provision for groups presenting more than two candidates at an election of a Municipal City Council, Municipal Town Council or Village Council to ensure that not more than two thirds of the group's candidates are of the same sex thereby ensuring meaningful participation of women. This measure led to an increase in the percentage of women representation at local government level – 32% at Village Council Elections of 2020 compared to 30.3% for the 2012 elections. Similar amendments were made to the RRA Act in 2016.<sup>6</sup> Out of the 17 members of the RRA, the number of women increased from 4 to 5 in the elections held in February 2022.

23. Mauritius is committed to an increased participation of women in the political sphere. For the National Assembly Elections of 2019, 148 women stood as candidates out of a total of 810 candidates. The representation of women at the level of National Assembly increased from 11.5% in December 2014 to 20% in November 2019. Out of 70 Members of the National Assembly, 14 are women including the Vice-Prime Minister and 5 are Ministers. The Deputy Chief Whip is a woman.

24. The Chief Justice and Senior Puisne Judge are women. Thirteen out of twenty Puisne Judges are also women (65%). The number of women holding senior positions in the Public Service as at February 2024 stands as follows:

<i>Grade</i>	<i>Number</i>	<i>Percentage</i>
Senior Chief Executive	3 out of 8	37.5
Permanent Secretary	20 out of 39	55
Deputy Permanent Secretary	46 out of 75	61.3

<sup>6</sup> Section 8(8)(a) of the Rodrigues Regional Assembly Act.

<i>Grade</i>	<i>Number</i>	<i>Percentage</i>
Assistant Permanent Secretary	93 out of 152	61

*Source:* Statistics Mauritius, January 2024.

25. To ensure a greater representation of women on board of directors, listed companies are required to have a minimum of 25% of women on their boards as from 2023.

26. Prohibition of discrimination on the ground of sexual orientation now has acquired constitutional protection following the judgement of the Supreme Court on October 4, 2023<sup>7</sup> declaring that section 250(1) of the Criminal Code is unconstitutional and in breach of section 16 of the Constitution in so far as it applies to consensual acts of sodomy between consenting males in private.

#### **Article 4**

##### **Promotion of general welfare**

27. Mauritius being a Welfare State, provides free public education; free access to public health services, pension benefits to the elderly aged 60 years and above and social aid to vulnerable groups. Section 2 of the Constitution provides that the Constitution is the supreme law of Mauritius and any law which is inconsistent with the Constitution, shall to the extent of the inconsistency, be void.

#### **Article 5**

##### **Non Restriction of other human rights**

28. Chapter II of the Constitution guarantees the protection of fundamental rights and freedoms which include the protection of the right to life, protection of the right to personal liberty, protection from slavery and forced labour, protection from inhuman treatment, protection from deprivation of property, protection of the law, protection for privacy of one's home and other property, protection of the freedom of conscience, protection of the freedom of expression, protection of the freedom of assembly and association, protection of the freedom to establish schools, protection of the freedom of movement and protection from discrimination.

29. The National Human Rights Commission (NHRC) is affiliated with the Global Alliance of NHRCs and operates according to the Paris Principles. In accordance with Section 3 (2) of the Protection of Human Rights Act, the "Commission shall not, in the exercise of its functions, be subject to the direction or control of any other person or authority". The independence of the NHRC is therefore guaranteed in the legislation setting up the Commission. The NHRC has attended to 753 complaints out of 1295 complaints received from September 2019 to February 2024.

30. The Institute for Judicial and Legal Studies (IJLS), a body corporate set up under the Institute for Judicial and Studies Act 2011 and operating under the aegis of the Judiciary, has been created and mandated to conduct training courses for the legal profession (Barristers, Attorneys and Notaries) and paralegals such as court staff, ushers and research officers.

31. The Human Rights Division in collaboration with the IJLS organised a high-level workshop for persons operating within the legal profession on 13 December 2023.

32. The Equal Opportunities Commission is an independent statutory body entrusted with the task of promoting anti-discrimination and equal opportunity principles and policies throughout Mauritius. It is provided with adequate resources through budgetary provisions. The Commission received 537 complaints from September 2019 to February 2024. The conciliation of 104 complaints were successful.

<sup>7</sup> Ah Seek ARF v State of Mauritius [2023 SCJ 399].

33. The Equal Opportunities Act adequately provides for prohibition of all forms of discrimination on the ground of social origin or other status.

### **III. Part three**

#### **Articles 6 and 7**

#### **Right to work and right to the enjoyment of just and favourable conditions of work**

##### **Measures to reduce unemployment and discrimination in Occupation**

34. Government provides incentives to promote integration of youth, women and vulnerable groups to the labour market through skills development.

35. The Mauritius Institute Training Development (MITD) works in close collaboration with employers to ensure training delivered is aligned with the needs of employers. Courses are offered free of charge, and trainees benefit from free examination schemes. These measures aim to encourage youths and women to opt for Technical and Vocational Education and Training (TVET) pathway for their career development.

36. The MITD introduced new courses in the services sector such as professional sales, early childhood care, care for elderly and disabled, business process services, that are being offered under inter-alia schemes such as the National Apprenticeship Programme (NAP) and National Training and Reskilling Scheme (NTRS). The MITD increased its enrolment capacity for courses in the fields of Beauty Care and Hairdressing and in several courses in the hospitality sector. These courses are mostly offered under the NAP where the apprentices benefit from a monthly stipend and payment of travelling expenses.

37. The MITD is delivering courses under the women Back to Work Programme with a stipend of Rs 10,575 to help women reintegrate the labour market.

38. The Youth Employment Programme provides training and employment opportunities for both young men and women to gain first hands on practical experience at the world of work. As at 31 July 2023, 4,189 women (57.5%) out of 7280 youths were placed under the programme.

39. In Rodrigues, vocational training is provided yearly for around 100 youths through the Atelier de Savoir Project in fields such as agriculture and mechanics to allow them to secure a job. From 2019 to 2022, 10 participants benefitted from the Entrepreneurship Programme, that support young people in setting up of micro-enterprises.

40. Labour legislation is drafted on a gender-neutral basis, except where a particular measure addresses one gender in particular, for example provisions for maternity benefit, or for paternity benefit.

41. The Government of Mauritius is fully committed to ensure enhanced condition of works and protection to all workers, including migrant workers.

42. Section 5 of the Workers' Rights Act (WRA), makes provision for protection against acts of discrimination in employment and occupation. Discrimination is defined so as to include, inter-alia, affording different treatment to different workers attributable, wholly or mainly, to respective their description by age, colour, caste, sex, sexual orientation, gender, HIV status, impairment, marital or family status, pregnancy, religion, political opinion, place of origin, national extraction or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

43. The workers of a subsidiary company performing work of equal value as a worker employed by another subsidiary company of the parent company or the parent company, operating in the same line of business, on less favourable salary, terms and conditions of employment are also similarly covered by the provision of section 5.<sup>8</sup>

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<sup>8</sup> Section 5(5)(b) of the Workers Rights Act.



44. With a view to addressing the issue of some remnants of gender-specific job appellations for both male and female workers in a few Remuneration Regulations (Salt Industry, Sugar Industry and Tea Industry) as well as the issue of wage determination for these Regulations in a holistic manner, the labour legislation was amended to ensure that henceforth the National Remuneration Board determine wages of the different categories of workers employed in the private sector on an occupational basis.

### **Informal Economy**

45. Terms and conditions of employment of workers employed in the various economic sectors of activity, particularly in the private sector in Mauritius are fully covered by labour legislations which comprise of the Workers' Rights Act 2019 (WRA), the Employment Relations Act 2008 (EReA), the Occupational Safety and Health Act 2005 (OSHA), the National Wage Consultative Council Act 2016 (NWCCA) and their respective accompanying regulations. The provisions of the different legislations aim to protect workers whether the latter is employed in the formal or informal economy or whether he has a standard or non-standard contract of employment. It also includes part-time workers, share workers, service providers, atypical workers, home-workers and migrant workers.

46. There are currently 30 Remuneration Regulations enacted under the EReA and 2 others under the WRA which cover the different economic sectors of activity. These Regulations address the issue of minimum wages and other specific terms and conditions of employment of workers employed therein. Otherwise the general terms and conditions of employment and social protection of the workers concerned are catered for under the WRA.

47. As regards access to basic services, any worker, who feels aggrieved or prejudiced by his employer with regards to the provisions of the labour legislations may seek cost-free assistance at any one of the 17 labour offices of the Ministry located around the island to register a complaint and get redress.

48. A number of measures was taken by the Mauritius Revenue Authority (MRA) during the period of 2021 to 2023 (Lock down during the Covid-19 pandemic) by way of payment of a certain amount of money under the Government Wage Assistance Scheme and Self-Employed Assistance Scheme, and secondly payment of direct monthly income allowance to mitigate the impact of rising cost of fuel on prices of consumables. The measure aimed also in one way at quantifying the number of workers or other persons operating in the informal economy and ultimately removing them gradually from informality.

### **Protection from unfair dismissal**

49. Section 64(1) of the WRA makes provision for the protection of workers against unfair termination of employment.

50. Sub-sections 64(2) and (6) of the WRA provide for the establishment of specific mechanisms to deal with issues related to disciplinary matters such as cases of alleged misconduct, where the alleged misconduct is the subject of criminal proceedings or poor performance, to ensure that any accused worker has been granted a fair hearing.

51. A worker whose employment has been terminated for any reason by his employer, may, pursuant to section 69A of the WRA, report within 15 days of the date of termination of his/her employment, a complaint for reinstatement to the Ministry of Labour, Human Resource Development and Training (MLHRDT). The Ministry would in turn, enquire into the matter and upon its finding of a bona-fide case, refer the case to the Employment Relations Tribunal within a period of 30 days from the date of registration of the complaint. The Tribunal would thereafter adjudicate on the matter and make an order within a period of 60 days. The Tribunal may order either the reinstatement of the worker or the payment of severance allowance at the rate of 3 months remuneration per year of service if it finds that the relation between the employer and the worker has been irretrievably broken.<sup>9</sup>

<sup>9</sup> Section 70A(4) of Employment Relations Act and section 70(1)(i) of Workers' Rights Act.

### **Minimum Wage**

52. Following Government's decision to come up with a national minimum wage (NMW), a National Wage Consultative Council Act (NWCCA), was enacted in 2016. The Council was entrusted with the objective of recommending, among others:

- The implementation of a national minimum wage;
- To continuously improve the living standards of low paid workers in the republic of Mauritius; and
- To keep under continuous review the national minimum wage to better the standard of living of low paid workers.

53. The Council, which is a tripartite body, carried out extensive research, analysis of local and international experience and extensive consultations before coming up with its recommendation for the establishment of a national minimum wage in November 2017.

54. The NMW applies indiscriminately to all workers, whether they are employed in the formal or informal economy, under a standard or non-standard contract of employment or otherwise.

55. With effect from 01 January 2018, the National Minimum Wage Regulations, 2017, enacted under the NWCCA, introduced for the first time a monthly national minimum wage of Rs 8,140, for all full-time workers (employed in both public and private sector). The NMW was reviewed to Rs 9,700 in 2020 and it was stipulated that the NMW shall be reviewed every 5 years or earlier.

56. The NMW has also been adjusted as from 01 January each year to Rs 10,075 in 2021, Rs 10,575 in 2022, Rs 11,575 in January 2023, pursuant to the enactment of successive Workers' Rights (Additional Remuneration) Regulations. In January 2024, the Council reviewed the NMW to Rs 16,500 inclusive of the Additional Remuneration for the Year 2024.

57. Additionally, by virtue of the Workers' Right (Payment of Special Allowance) Regulations 2023, all workers were guaranteed the payment of an allowance by the MRA so that their monthly income, inclusive of their NMW, was raised to Rs 13,000 since January 2023. Following, budgetary exercise of July 2023, an amendment was made to the Social Contribution and Social Benefits Act, and a further monthly income allowance of Rs 2,000 was paid by the MRA to all workers drawing monthly wages up to Rs 25,000 so that the minimum guaranteed income by the Government would not be less than Rs 15,000 a month for period July to December 2023. Since January 2024, following the review of the NMW to Rs 16,500, the National Income guaranteed was increased to Rs 18,500 a month.

58. In addition to the NMW, the 32 Remuneration Regulations also prescribe minimum wages well above the NMW for categories of workers, according to their skills, qualifications and level of responsibilities in different sectors of employment.

59. Terms and other conditions of employment of workers in the private sector are amply addressed by the provisions of the WRA whilst minimum wages of workers employed in some 30 sectors of economic activity are covered in the Second Schedule of the Remuneration Regulations concerned. The WRA also provides for hours of work, remuneration, leaves, restriction for employment of children, allowances, benefits, end of year bonus, retirement and pensions amongst others.

60. The WRA also makes provisions for the payment of severance allowance or reinstatement of laid-off workers in case of unjustified termination of employment. The Redundancy Board set up under the WRA, deals with all cases of reduction of workforce and closure of enterprises for economic, financial, structural, technological or any other similar reasons.

### **Work and family responsibilities**

61. The following provisions have enabled workers to adopt a more flexible work arrangement with their employers with a view to better fulfilling their family obligations.

### **Flexi-time**

62. Section 22 of the WRA provides that an employer may request a worker to work on flexitime provided a notice of at least 48 hours is given to the worker. This provision enables working parents, i.e., the mother and father, to care for their child or any other family responsibilities.

### **Full-time to part-time agreement**

63. Section 15 of the WRA also extends the opportunity to all workers to combine personal life with continued workforce participation in as much as the worker may be eligible to make an agreement to perform part-time or full-time work.

64. With a view to providing a more effective response to business operational requirements and concurrently workers' social obligations, Section 21 of the WRA provides that where an employer requires a worker to perform piece work, task work or work of a similar method of work, the worker shall be deemed to have performed a day's or a week's work where he completes the piece work, task work or other work within a shorter period of time and he shall be paid wages due for the whole day or week, as the case may be.

65. Workers are regularly sensitized during the course of talks at workplaces or during workshops or on the media (i.e. radios) concerning the provision thereof. No complaints was reported at the level of the MLHRDT for period 01 January 2022 to August 2023.

### **Equal remuneration for work of equal value**

66. The principle of the payment of "equal remuneration for work of equal value" is provided in Section 26 of the WRA.

### **Sexual Harassment**

67. It is to be observed that prior to ratifying the International Labour Organisation (ILO) Convention on Violence and Harassment on 01 July 2021, at the workplace, provisions concerning the protection of workers against any act/form of violence were already contained in the labour legislation of Mauritius as far back as 1975 and in Section 254 of Criminal Code.

68. With the enactment of the WRA on 24 October 2019, a new Section 114 of the Act provides new measures for the enhanced protection of worker, most particularly women workers, against any form of violence at work and the introduction of more stringent sanctions.

69. The new section 114 also binds the employer to take corrective measures whenever such cases happened or as a measure of prevention, failing which the employer may be vicariously liable as a party to the offence if he has failed to take remedial action in such cases as per sub-section (2) to (5) of thereof.

70. In its mandate as an enforcement body, the MLHRDT carries out regular inspections including surprise visits at places of work. With a view to enforcing and ensuring compliance with the provisions of the above legislation, Officers of the MLHRDT, posted in the 17 regional Labour Offices around the island, during the course of their inspections in enterprises, sensitise workers on the issue as well as register complaints from workers in breach of the relevant sections of the WRA. Any case of non-compliance is dealt with promptly by the MLHRDT for remedial action and/or initiate prosecution at the level of the Industrial Court.

71. Section 114(5) provides that "any person who contravenes subsection (1), (2) or (4) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 5 years."

72. The number of cases registered for sexual harassment at the level Enforcement unit of the MLHRDT are as follows:

<i>Year</i>	<i>Registered</i>	<i>Resolved</i>	<i>Pending</i>
2019	5	4	1
2020	5	4	2
2021	5	5	3
2022	11	8	3
2023	14	5	9

73. The Occupational Safety and Health (OSH) Division of the MLHRDT is responsible to enforce and ensure compliance with the provisions of the Occupational Safety and Health Act 2005 and its related regulations in private or public workplaces, and that adequate safety and health measures are taken to ensure the safety and health of employees regarding existing, new and emerging hazards. The Division is also involved in enhancing the national safety and health culture by conducting regular training/sensitization programmes for stakeholders including employees (private/public sectors), employers, Safety and Health Officers and trade unions representatives; disseminating information on occupational safety and health as well as preparing and distributing guidelines on various occupational safety and health topics.

74. The OSH Division comprises 7 sections namely: Enforcement Section (North); Enforcement Section (South), which also comprises a newly created Unit known as the Port and Public Service Unit to carry out visits in the Port area, on board ships and vessels and in the Public Service; Accident and Prosecution Section; Occupational Safety and Health Training and Information Centre; Construction Section; Employees' Lodging Accommodation Section and Specialist Support Services Unit.

75. Officers of the OSH Division carry out inspections at sites of work with a view to ensuring the safety and health of workers. Workers as well as employers are sensitized on issues related to their safety, security and health and the provisions of the law and their liabilities as laid down in the OSHA. The OSH Division carried out 26,360 inspections for the period 01 January 2017 to December 2023 and 1,462 talks/awareness sessions at workplaces including those employing migrant workers.

<i>Statistics – OSH division</i>						
	<i>Jan–Dec 2019</i>	<i>Jan–Dec 2020</i>	<i>Jan–Dec 2021</i>	<i>Jan–Dec 2022</i>	<i>Jan–Dec 2023</i>	<i>Total</i>
Inspections	4 491	5 528	5 781	4 140	3 575	23 515
Complaints investigated into and action taken	247	217	179	188	161	992
Talks delivered on OSH	296	114	52	190	210	862
Cases lodged in Court for failure to comply with provisions of the OSH legislation	41	142	184	145	174	686
Prohibition Orders	29	16	3	20	13	81
<i>Accidents Notified</i>						
Notifiable fatal accidents	11	13	10	7	15	56
Notifiable non-fatal accidents	218	197	177	172	172	936
Non-notifiable accidents	200	157	141	152	124	774
<b>Total</b>	<b>429</b>	<b>367</b>	<b>328</b>	<b>331</b>	<b>311</b>	<b>1 766</b>
Dangerous occurrences	8	0	8	5	2	23
Visits regarding investigation into accidents and dangerous occurrences	613	597	338	398	399	2 345

## **Migrant Workers**

76. The provisions of the labour legislation in Mauritius apply indiscriminately to all workers, including migrant workers. Hence, migrant workers enjoy terms and conditions of employment which are not less favourable than their local counterparts in the same sector of activity. However, as far as section 84 dealing with transition unemployment benefit is concerned, same do not apply to migrant workers.<sup>10</sup> The Special Migrant Workers' Unit (SMWU), established in November 1999, is responsible for looking into the conditions of employment of migrant workers in Mauritius. The unit is manned by officers conversant in English, French and Hindi.

77. The SMWU *inter-alia* vets contracts of employment of migrant workers prior to the granting of work permits before their arrival, meets workers upon their arrival to check that they possess a valid work permit and duly vetted contract of employment and sensitise them on their rights, responsibilities and terms and conditions of their contract of employment, including on their right for collective bargaining.

## **Initiating Court proceedings against defaulting employers**

78. The SMWU also carries sensitisation and awareness sessions during inspections at enterprises. Additionally, during inspections, workers as well as workers' representatives are interviewed with a view to sensitizing them on issues related to their rights. Similarly, employers' representatives are also apprised of the provisions of the law, especially with regard to their liabilities and obligations.

79. For the period Jan 2017 to December 2023, the SMWU carried out a total of 3,506 Workers Education sessions, 6018 Inspections covering 201,060 migrant workers, and dealt with 3,326 complaints.

80. The Recruitment of Workers Act serves to deter illegal recruitment. The new Private Recruitment Agencies Act adopted in October 2023 provides for ethical recruitment in line with the recommendations of the ILO and the International Organisation for Migration.

81. A Memorandum of Understanding (MoU) was signed with India which provides, *inter-alia*, for fair and ethical recruitment to be conducted pursuant to Government to Government mechanism. It is also based on the Employer Pay Principle and equal treatment of foreign workers as conferred to locals in matters of working relations, conditions, social protection, health, hygiene and workplace safety. The MLHRDT intends to replicate the MoU with other sourcing countries.

82. In term of sensitization, a "Know Your Rights" Pamphlet was produced and published in six different languages, in 2019. The pamphlets were distributed to the entities employing migrant workers through the MLHRDT. The Passport and Immigration Office, trade union organisations as well as respective Embassies and Consulates based in Mauritius were provided copies of the pamphlets. The pamphlet is currently being updated.

83. A dedicated page entitled "Migrant Workers- a One Stop Shop" was created on 01 November 2022 on the website of the MLHRDT providing information pertinent to migrant workers such as standard contracts, lodging accommodation, links to relevant Remuneration Regulations and Units dealing with Work Permits. The One-Stop-Shop (OSS) service provides, at a single point, dedicated services relating to labour rights, OSH issues, and Work and Residence permits. It also acts as an interface with relevant authorities/departments on other issues affecting migrant workers and to ensure proper follow-up actions until such matters are resolved. The OSS helps collaboration between the OSH Division and Police department about cases of injury or accident involving migrant workers as well as cases of Trafficking in persons (TIP) cases.

<sup>10</sup> As per section 84(10)(d) worker does not include migrant worker.

## **The Public Procurement Act**

84. The Public Procurement Act (PPA) establishes the guiding principles for effective, efficient, transparent procurement procedures. Section 46(5) of the PPA provides that there shall be included in every procurement contract a clause ensuring:

(a) Rates of remuneration and other conditions of work of the workers, including those employed by subcontractors, engaged in the execution of the contract that are not less favourable than those established for work of the same character in the trade concerned:

- (i) By collective agreement applying to a substantial proportion of the workers and employers in the trade concerned;
- (ii) By arbitration awards; or
- (iii) By Remuneration Regulations made under the Employment Relations Act.

## **Article 8 Right to free association**

### **Trade Union Rights**

85. Freedom of assembly and association is a fundamental right which is guaranteed under section 13 of the Constitution. The right to assemble freely and associate with other persons, in particular to form or to belong to trade unions or other associations for the protection of one's interests is also embodied as a legal right under section 29 of the EReA. Sections 30 and 31 of the EReA afford additional protection to those exercising the above rights, against any acts of interference and any form of discrimination and victimization at workplaces by reason of their association.

86. A trade union of workers must have a minimum of 30 members and a trade union of employers must have a minimum of 5 members to be able to register as trade unions.<sup>11</sup> Section 13 of the EReA elaborates on the eligibility of a worker to be a member of a trade union.

87. Sections 15 and 16 stipulate upon the amalgamation of trade unions and to form thereafter federation and confederations. Moreover, Section 17 of the Act provides that "a trade union of workers may affiliate to and participate in the activities of international workers' organisations, make financial and other contribution to such organisations and receive financial and other assistance from them which relate to its objects."

88. An exception exists as per the Police (Membership of trade union) Act with regard to a trade union of police officers which is prohibited to amalgamate with any other trade union to form one trade union, except with another trade union of police officers. The same principle applies for this cadre to form a federation and a confederation.

### **Collective Bargaining**

89. Section 36(1) of the EReA provides that a trade union or a group of trade unions of workers acting jointly may apply in writing to an employer for recognition as a bargaining agent, joint negotiating panel or sole bargaining agent, as the case may be, for a bargaining unit.

90. A trade union can apply for recognition if it has the support of 20% of workforce in a bargaining unit.<sup>12</sup> Provisions relating to access to workplace and information and time off facilities granted for performing trade union functions and activities have been provided in the EReA. The said Act has elaborated the bargaining process, terms and procedure as well as details relating to the procedure of collective agreement.

91. Specific provisions exist at section 51 of the EReA to provide that following recognition of a trade union or a group of trade unions, their relationship with the employer

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<sup>11</sup> Section 5 of EReA.

<sup>12</sup> Section 37(1) of EReA.

or a group of employers, as the case may be, shall be regulated by a procedure agreement. The procedure agreement shall be binding on the employer and any trade union who has been granted recognition. Section 52 of the EReA provides that the procedure agreement shall contain, among others, provisions for matters to be bargained and the levels at which bargaining should take place. Additionally, it also provides for mechanism for the settling of dispute.

### **Right to Strike**

92. Part VII of the EReA has made provisions for strikes and lock-outs. Section 76 provides the right to strike and recourse to lock-out, whilst Section 77 relates to the limitation on the right to strike and recourse to lock-out, the strike ballot process at Section 78 and the notice of strike or lock-out at Section 79.

93. It is noteworthy that the Minister responsible for labour and employment relations may, at the request of any party to a labour dispute, provide a conciliation service with a view to conciliating the parties where the dispute has remained unresolved at the level of the Commission for conciliation and mediation and the dispute has not been referred to the Tribunal and/or at any time before or during a lawful strike takes place.<sup>13</sup>

94. Contrary to other members of other trade unions, members of the Police Force are not allowed the right to strike under any circumstance as provided under Section 76(3) of the EReA.

95. Section 81 of the EReA provides for minimum service in the essential services during a strike or lock-out. Essential services comprise of air control and air/road transport, aviation and airport, customs, electricity and water supply, health services, port including cargo handling services, telephone, radio, television and refuse disposal are among the essential services and workers in these sectors of activity must provide a minimum service in the event of a strike or lock-out.

## **Article 9**

### **Right to social security**

#### **Contributory Pensions**

96. Under the Social Protection system, over 300,000 people, around 24% of the population benefit from support, which comprise basic pensions for the elderly, widows, orphans and persons with disabilities as well as social aid assistance payable to pensioners, widows, orphans and other beneficiaries as follows:

<i>SN</i>	<i>Benefits</i>	<i>Number of beneficiaries as at January 2024</i>
1.	Basic Invalidity Pension	28 278
2.	Basic Retirement Pension	264 601
3.	Basic Widows Pension	17 096
4.	Basic Orphans' Pension	243

97. For a fairer and more sustainable pension system, the Social Contribution and Social Benefits Act 2021 was enacted to cater for social contribution and payment of social benefits.

#### **Protection of persons with disabilities**

98. Mauritius believes in the inclusion of persons of disabilities in the mainstream society. The Disability Empowerment Unit of the Ministry of Social Integration, Social Security, and National Solidarity (MSISSNS) provides assistance to persons with disabilities in terms of

<sup>13</sup> Section 79A of EReA.

counselling, guidance and referral services as well as an array of services such as free parking cards, and loan facilities.

99. The Ministry of Gender Equality and Family Welfare (MGEFW) provides psychological support to victims of violence and abuse to enable them to overcome emotional and psychological trauma. Support is provided at their residence in case they are unable to attend the outstation.

100. The Building Control (Accessibility and Gender Compliance in Buildings) (Amendment) Regulation 2017 was amended in 2022 to facilitate access to buildings for persons with disabilities. Regulations governing the construction sector requires that appropriate ramps are provided in building and infrastructural works to cater for the needs of people with disabilities and facilitate mobility.

101. The Protection and Promotion of the Rights of Persons with Disabilities Bill was introduced into the National Assembly in December 2023. The object of the Bill is to provide for the protection and promotion of the rights of persons with disabilities and give effect to the United Nations Convention on the Rights of Persons with Disabilities and other international instruments to which Mauritius is a party, with a view to eliminating discrimination against persons with disabilities.

102. The Bill would provide for the establishment of the National Disability Authority. Furthermore, with a view to encouraging employment of persons with disabilities, the Bill would further provide for fiscal incentives to be given to employers who employ persons with disabilities.

## **Article 10**

### **Family protection**

#### **Marriage**

103. To promote an enduring marriage life, the MGEFW is implementing the following projects namely: Pre-Marital Counselling (PMC), Marriage Enrichment Programme (MEP) and the Inter-Generation Relationship Programme (IGR).

104. From 2019 to 2022, 14 campaigns were held and 280 participants were reached under the PMC and 15 campaigns were held and 411 participants were reached under the MEP.

105. The IGR was implemented from October 2023 to December 2023, where around 511 persons have benefitted from the Programme. The Programme will be implemented till May 2024.

106. A new National Policy Paper on the Family is being formulated to provide guidance for the development of programmes to improve the general well-being of the family.

107. The Budgetary measures 2023/2024, make provision for the setting up of childcare centres in main areas under Public Private Partnerships, with a view of increasing access to childcare and making workplace more inclusive; and necessary facilities for workplace-based childcare for all companies with more than 250 employees.

108. A one-off cash grant scheme for a maximum of Rs 650, 000 is provided to all Child Day Care Centers (CDCCs) that were in operation for more than a year that have never been registered with the MGEFW. The objective is to ensure a minimum standard service delivery and that all CDCCs in operation in Mauritius are in compliance with the Child Day Centres Regulations 2022. 62 CDCCs benefitted from the year 2018/2019 to 2022/2023.

109. Following the enactment of the Children's Act 2020, the age of marriage is now set at 18 years in Mauritius. Complaints of alleged cohabitation are referred to the Mauritius Police Force (MPF), through the "Brigade pour la Protection de La Famille" and intervention is effected jointly by the Child Development Unit (CDU) and the MPF. In confirmed cases, legal actions are undertaken.



110. Ongoing Information Education Campaigns programs and campaigns on “Marriage of, or cohabitation with, child” are disseminated among all stakeholders concerned including the Educational Sector, the Media, the Citizen Support Unit, and the Religious Bodies.

111. From 2018 to February 2024, the CDU has carried out 75 awareness campaigns on the Commercial Sexual Exploitation of Children, Children’s Act 2020 which prohibits child marriage, cohabitation inclusive of child trafficking and child prostitution). A total of 2929 persons were reached. The Drop-in-Centre carried-out 177 campaigns on the Commercial Sexual Exploitation of Children from 2018 to February 2024, thereby reaching: 6854 Persons.

112. As from FY 2023-2024, family parents of 48,000 children up to the age of 3 years old are provided with a monthly child support of Rs 2,000.

### **Protection of elderly persons**

113. The MSISSNS, has a dedicated Welfare and Elderly Persons’ Protection Unit (WEPPU). The unit is responsible for the enforcement of the ‘Protection of Elderly Persons Act’ and the ‘Residential Care Homes Act’.

114. The WEPPU organises activities for the wellbeing of the elderly and intervenes in reported cases of elder abuse through inter-alia mediation, negotiation and family conferencing.

115. The WEPPU deals with complaints from elderly persons who need assistance or protection and operates Hotline 172 from 0900 to 1600 hrs and Hotline 199 on 24 hours basis. It also organises public awareness sensitisation campaigns on the rights of the elderly. A free Mobile App – ‘Sekirite’ was launched in October 2022 to offer a prompt response to elderly persons who are victims of abuse.

116. The MSISSNS operates 22 Elderly Day Care Centres and 4 Recreation centres, thereby providing opportunities for the elderly to interact and engage in leisure activities such as recreational outings.

117. The Residential Care Homes Act aims to monitor the management of private homes for elderly persons with an adequate number of care givers and standardise the norms governing them. Furthermore, the Government provides Grants on a monthly basis for the maintenance of premises of 17 Charitable Institutions to enable the elderly residents to enjoy a better living environment.

118. The Medical Unit of the MSISSNS effect domiciliary visits to elderly persons aged 90 years and above and to all beneficiaries of Carer’s Allowance, irrespective of age, who are not able to attend health care services centres due to their health condition. Those elderly aged 90 years and above have doctor’s visit at home. Around 323 Medical Practitioners are enlisted for the provision of this service. From July 2023 to January 2024, an average of 26,230 beneficiaries availed this service monthly.

119. The payment of Basic Retirement Pension/ Benefit as from 01/04/2024 will be as follows:

<i>Age Bracket</i>	<i>Amount (Rs)</i>
60-64	13 500
65-74	14 500
75-89	16 000
90-99	23 710
100 and above	28 710

### **Paternity and Maternity Protection**

120. As provided under the WRA and the Workers’ Rights (Atypical Work) Regulations, atypical workers that is those workers who do not have standard contracts of employment

enjoy the same rights as other workers in the mainstream. Atypical workers comprise of many women who work from home and they enjoy the same maternity benefits and protection.

121. A female worker on production of a medical certificate, is entitled to 14 weeks' paid maternity leave to be taken:

- Before confinement, provided that at least 7 weeks' maternity leave shall be taken immediately following the confinement; or
- After confinement;
- A payment of Rs 3000 as Maternity Allowance provided she reckons at least 12 months continuous service with the same employer. The payment is prorated in the case of a part-time worker;
- 3 weeks leave plus 5 additional working days in case she suffers a miscarriage;
- 14 weeks leave on full pay, if she gives birth to stillborn child;
- 2 breaks of half-hour or one-hour break for nursing her unweaned child;
- Not perform duties requiring continuous standing during pregnancy;
- Not to be required to work between 6.00 p.m to 6 a.m.

122. Under section 64(1), the WRA gives enhanced protection to women, who are in family situation, against termination of employment on a discriminatory basis as follows:

- (a) "an agreement shall not be terminated by an employer by reason of:
- (i) A worker's race, colour, caste, national extraction, social origin, place of origin, age, pregnancy, religion, political opinion, sex, sexual orientation, HIV status, impairment, marital status or family responsibilities;
- (ii) A worker's absence from work during maternity leave and for the purpose of nursing her unweaned child;"

### **Child labour**

123. Section 8(1) of the WRA specifically prohibits the employment of children. To ascertain compliance therewith of the law, unannounced child labour inspections are carried out by officers of the Regional Labour offices on a regular monthly basis across the island. Whenever a case of child labour is reported, enquiry is carried out with the assistance of officers of the "Brigade pour la protection de la famille" and thereafter processed at the level of the Prosecution Unit of the Ministry for Court action against the defaulting employer.

124. Child employment is prohibited in no uncertain terms under section 8 of the WRA. Under the Act, a child is defined as a person under the age of 16 years and a young person as a person, other than a child, who is under the age of 18.

125. Section 9 of the WRA furthermore provides that:

- (1) "No person shall employ, or continue to employ, a young person:
- (a) in work which, by its nature, or the circumstances in which it is carried out, is likely to jeopardise his health, safety, or physical, mental, moral or social development; or
- (b) after being notified in writing by the supervising officer that the kind of work for which he is employed is unsuitable, or is likely to interfere with his education.

(2) Every employer shall keep a record of every young person employed by him, stating, in the record, his full name, address, date of birth and such other details as may be prescribed."

126. Prohibition Orders may be issued and criminal actions may be instituted against any person who acts in breach thereof at the level of the Industrial Court.

### **Asylum seekers**

127. The Government of Mauritius cooperates with the United Nations High Commissioner for Refugees for issues concerning refugees or asylum-seekers arise.

128. Mauritius upholds the principle of nonrefoulement and treats applications for refugee status on political asylum on a humanitarian, case to case basis by facilitating their settlement in a friendly country willing to receive them.

### **Protection against Gender-Based Violence**

129. In order to address the scourge of domestic violence, a High-Level Committee on the Elimination of Gender Based Violence (GBV) has been set up under the Chairmanship of the Honourable Prime Minister and the National Strategy and Action Plan on Gender Based Violence (GBV). A mobile application (app) “Lespwar” was launched in November 2020 to enable victims of GBV to obtain prompt assistance.

130. The Integrated Support Centre was launched in March 2019 with hotline 139 (for domestic violence) and hotline 113 (for child abuse) for immediate intervention and assistance.

131. Awareness Campaigns on GBV including raising awareness on the Protection from Domestic Violence Act were conducted and 5157 persons were reached from 2020 to February 2024.

132. In February 2024, 4 campaigns were held on GBV under the interfaith Forum programme, for 22 men and 42 women. In January/February 2024, 8 campaigns were organised on GBV under the ‘Awareness Programme on the Shared Understanding on GBV’, for 64 men and 140 women.

133. Information Communication campaigns to encourage victims to report and deter acts of violence through social and mass media are ongoing with 3312 campaigns from 2023 to February 2024 were conducted.

134. To address the problem of domestic violence and promote involvement of men in family responsibilities the MGEFW is implementing the Men as Caring Partners Programme since 2022, with around 335 men reached by November 2023.

135. A study on the “Impact of cultural beliefs, norms and practices on gender roles, gender equality and Gender-Based Violence” is being carried out to investigate, assess and analyse the existing gender hegemonic stereotypes across the main institutions of society and across different social groups and the recommendations aim to bring a change in mind-set and behaviours to address gender inequalities.

136. Efforts to bring perpetrators of domestic violence to justice were strengthened. From 2020 to 2023, 3,694 persons were convicted for cases of domestic violence.

137. The forthcoming Domestic Abuse Bill will look into the issue of marital rape.

### **Trafficking in persons**

138. Mauritius is strongly committed to fight trafficking in persons (TIP). The Combating of the Trafficking in Persons (Amendment) Act became effective in January 2024. The objects of the Act are to, amongst others, consolidate the existing legal provisions for combating trafficking in persons and provide a modern legal framework to address the issue more effectively.

139. The National Action Plan on Trafficking in Persons 2022-2026, prepared with the assistance of the International Organisation for Migration, is being implemented. An Inter-Ministerial Committee and a National Steering Committee against Trafficking in Persons were set up to ensure a proper coordination on TIP related issues. Under the MIEUX+ Initiative funded by the European Union (EU), a standard operating procedure was developed and training provided for an effective handling of TIP investigation and prosecution for an effective response to combatting TIP.

140. Two free hotlines are available for reporting cases of TIP. Regular inspections are carried out by Officers of the Labour Division at sites of work during which migrant workers are interviewed to ascertain that their terms and conditions of employment are in compliance with national labour legislation. TIP cases are investigated and referred to Courts for prosecution. Victims of TIP are provided with facilities including psychological and medical support. A shelter to accommodate male TIP victims will be made operational.

#### **Protection against child trafficking**

141. TIP is criminalized under the Children's Act. A person who is convicted of child trafficking is liable to a penal servitude not exceeding 20 years.

142. The MGEFW provides psychological and pre-trial support to adult victims of TIP and provide child victims of Commercial Sexual Exploitation with curative, rehabilitative and reintegrative services.

143. The Children's Act provides for offences against children, including exploitation and harm, internet and web related offences such as child trafficking, child pornography and child grooming.

144. Measures were put in place for the protection of children against child abuse and trafficking include:

(a) A tollfree hotline to enable the public to report any alleged case of child abuse including child trafficking and commercial sexual exploitation of children;

(b) Accommodation of victims of sexual abuse and commercial sexual exploitation of children including child trafficking at a Residential Drop-In-Centre;

(c) Capacity building of officers dealing with cases of Trafficking in Persons at different levels; and

(d) Sensitisation campaigns on Human Trafficking for citizens, by inter-alia the Crime Prevention Unit and Brigade Pour La Protection de la Famille in schools, Community Centres and other public forums.

#### **Child Protection against Violence**

145. The promotion and protection of children's rights is a priority for Government. The Children's Act, the Children's Court Act and the Child Sex Offender Register Act along with the Child Day Care Centre Regulations, the Child (Foster Care) Regulations, the Residential Care Institutions for Children Regulations were enacted to further protect the rights of the child. The Children's Court is operational since January 2022. A Ten-Year Strategic Plan for Children is being developed.

146. Child abuse is viewed with serious concern and a number of measures were taken to address same. The Child Sex Offender Register Act aims at protecting children from sexual abuse, reducing and preventing the risk of sexual offences against children.

147. A Child Services Coordination Panel was established in September 2021 for monitoring and follow-up of activities relating to the protection and welfare of the child. The CDU, supported by different stakeholders, has protocols and procedures in place to investigate reported cases of child abuse. Multi-disciplinary teams consisting of social workers, childcare workers, and psychologists are available on a 24-hour basis to provide assistance.

148. The CDU pursues sensitisation campaigns on child abuse, commercial sexual exploitation of children, along with the National Children's Council in primary and secondary schools, in children's associations and within the community. Mass awareness campaigns were conducted through 49 radio and 15 television programmes.

149. Measures put in place for the protection of children against abuses include:

(a) Joint interviews by officers of the Police and the CDU;

(b) Provision of psycho-social counselling to victims and their families;

(c) Collaboration between the Brigade Pour la Protection de la Famille and other stakeholders to assist in the identification of victims and the provision of required support;

(d) Surveillance of children exposed to any form of violence, including commercial sexual exploitation and trafficking through Community Child Watch Committees; and

(e) The Crime Record Office of the MPF keeps records on the number of trafficking in person cases reported, investigated and prosecuted.

150. Corporal punishment is prohibited under the Children's Act which also provides for penalties for ill-treatment of and offences against children.

151. The Parental Empowerment Resource Centre (PERC) was set up in financial year 2022/2023 to develop parenting skills for parents and focus on aspects of early childhood development, in an effort to keep children and families safe. The PERC also acts as a 'referral centre' for parents needing services in the community. From January 2023 to February 2024, 136 parents were reached.

## **Article 11**

### **Right to an adequate standard of living**

152. The Constitution does not mention specifically the right to adequate housing. It does however enshrine the right of the individual to (i) protection from deprivation of property; (ii) protection for the privacy of home and other property. The primary government department with responsibilities relating to housing is the Ministry of Housing and Land. The core function of the Ministry is to create adequate living conditions for the citizens of the country, including adequate housing conditions.

153. Mauritius ratified major international human rights conventions including the International Covenant on Economic, Social and Cultural Rights, which enshrines the right to adequate housing as a component of the right to an adequate standard of living.

#### **A. Right to the continuous improvement of living conditions**

##### *Social Aid*

154. A Marshall Plan against poverty was launched in 2016. The Plan is dedicated to households living in absolute poverty found eligible under the Social Register of Mauritius (SRM). Empowerment programmes/schemes were put in place to eliminate absolute poverty and to encourage change among vulnerable populations in order to promote economic empowerment, social inclusion and overall improved well-being of these vulnerable groups.

155. In order to implement the Marshall Plan, a Social Integration and Empowerment Act 2016 was enacted. The Act provides for the setting up of Empowerment Programmes and Schemes so that persons living in absolute poverty can integrate the mainstream society and improve their quality of life in a sustainable manner. The Act also makes provision for the payment of a monthly income support, known as Subsistence Allowance, effected to eligible SRM Households through a Marshall Plan Social Contract (MPSC). The various Income and Empowerment Schemes under the MPSC are listed at Annex 1.

156. The absolute poverty thresholds for eligibility under the SRM was further scaled up to an enhanced ceiling from Rs 3,000 to Rs 3,575 per adult and from Rs 1,500 to Rs 2,500 for a child in budget 2023-2024. As from the 1st of July 2023, the maximum threshold has, therefore, increased from Rs 10,500 to Rs 14,650 for a family of 2 adults and 3 children. As at 31 December 2023, 6,532 households, representing a total of 25,350 individual beneficiaries, were found eligible under the SRM and signed the MPSC.

157. With regard to the eligibility criteria to benefit from various social programmes and social assistance (both cash and in-kind), all citizens living in vulnerable conditions can call at the MSISSNS for registration under the SRM.

158. Registration under the SRM is open and ongoing and is carried out at the Social Security Offices across the island in Mauritius and Rodrigues.

159. In Mauritius, corporate tax reforms were undertaken to mobilise corporate tax revenues. During the last two financial years, corporate tax revenues increased by 36.8% and 40% respectively. The support measures given the companies in difficulties during and after the pandemic ensured their survival and profitability.

## **B. Right to adequate food**

160. Government recognises that the right to food is a fundamental right that contributes to an adequate standard of living.

161. The agricultural sector in Mauritius is confronted with major challenges including high farm vulnerability to climate change. Climate change has led to abandonment of agricultural land, decreasing land productivity, high pre and post-harvest leading to reduction in farm revenue, environmental degradation, biodiversity loss and heavy reliance on agrochemicals. Hence, climate change adversely affects production, prices, incomes and the livelihoods of the farming community. To promote sustainable and climate smart agricultural production systems, maintain the sustainability of the agricultural resource base, improve productivity of agricultural land and enhance farmer's capacity to cope with climate change, the following measures are implemented:

(a) The Fisheries Act regulates amongst others, fishing activities, whilst seeking to protect the marine resources and ecosystem to ensure responsible fishing so as to promote food security;

(b) To increase competitiveness of farmers and modernise the sector, the Ministry of Agro Industry and Food Security provide capacity building programmes on knowledge-based agriculture and for transfer of innovative and relevant technologies to stakeholders;

(c) The introduction of the mobile application "MOKARO" – which advises planters on future plantation, irrigation and other field activities following crop analysis and assessment. Farmers also receive information related to climatic conditions of Mauritius, current agricultural news and alerts that may be useful for agricultural production and management;

(d) Promotes sustainable agricultural practices through a shift to sustainable and eco-friendly methods of production and protection conducive to safer and better human nutrition;

(e) Adhoc distribution of seeds and fertilizers to planters after cyclones or droughts;

(f) Introduction and development of new varieties of crops by Government institutions to adapt to the changing and extreme climatic conditions as well as pest and disease;

(g) Setting up of plant variety protection mechanism according to the Industrial Property Act to encourage farmers, plant breeders and researchers to introduce and develop new improved varieties of crops adapted to the changing and extreme climatic conditions; and

(h) Increase in the production and supply of propagating materials for fruit species to increase the population of fruit trees;

(i) Extensive capacity building of farmers on backyard production, climate change, livestock production, sustainable production, agro processing, schemes and incentives, amongst others.

162. International and multilateral cooperation that have been secured to promote the full realization of the right to food include:

(a) Mauritius in collaboration with the Southern African Development Community is undertaking the vulnerability assessment of its agricultural sector to establish baselines and identify the causes of vulnerability related to climate change, including food

security and disaster risk management as well as recommendations for strategies and action plan for short and long terms interventions;

(b) Mauritius is benefitting from the support of EU to undertake the Global Climate Change Alliance Plus (GCCA+) flagship initiative to increase its resilience to climate change including to rise the capacity of vulnerable non-sugar planters and key stakeholders in developing climate smart agriculture;

(c) The EU is financing Climate Smart Agriculture projects in Mauritius and Rodrigues Islands to the tune of 3 million Euro;

(d) EU DESIRA project- Development-Smart Innovation through Research in Agriculture (DeSIRA) initiative, was developed by the EU to foster a strong climate-relevant, productive and sustainable transformation of agriculture and food systems research for development. DeSIRA is about the use, access and generation of scientific knowledge for innovation to transform agriculture in the context of climate change in Mauritius;

(e) Funds to the tune of USD 10 million were received from the Adaptation Fund Board for restoring marine ecosystem services by rehabilitating coral reefs to meet a changing climate future in Mauritius. The project is to restore reefs, protect food security and promote disaster risk reduction through ecosystem-based approach for the period 2020 to 2026;

(f) Mauritius is availing of a technical assistance worth 2 Million Euro from the French Government under the 'Adapt'Action Programme'. The main objectives are to conduct vulnerability assessment and feasibility studies for new sites which are prone to beach erosion and flooding to help Mauritius access funds from the Green Climate Fund and other funding institutions. This programme ultimately would help to formulate project proposals for adaptation projects to support communities including farmers and fishers.

163. FAREI Athen was set up in Rodrigues and there is ongoing capacity building of farmers and technical staff in sustainable agricultural production. They are also trained being trained in agro-processing and honey production. Moreover, the Agricultural Marketing Board is marketing the agricultural products of Rodrigues in Mauritius.

164. In the Budgetary measures 2023/2024, to preserve the purchasing power of individuals the Government provided Rs 4.7 billion as subsidies to maintain the price of flour and rice. In addition, Rs 2 billion is earmarked to encourage production of food crops and growth of livestock production to support existing and new development in the agricultural sector. Grants and loan facilities to purchase, cannottes and semi-industrial vessels are being provided to registered fishers, fishing companies and cooperatives.

### **C. Right to clean water**

165. Mauritius recognises the critical importance of water and sanitation in achieving the 2030 Agenda and its Sustainable Development Goals (SDGs) towards peace, prosperity, progress, and sustainability for all. The country's efforts in these sectors reflect a commitment to balancing economic growth, environmental preservation, and social well-being in alignment with the broader global development agenda.

166. Mauritius recognises that access to clean and safe drinking water and proper sanitation is a fundamental human right. The country made significant strides in providing universal access to clean water and sanitation facilities. According to the 2022 Housing and Population Census, the proportion of population using safely managed drinking water services and sanitation services is 99.7% and 99.8 % respectively in Mauritius. Government is continuing to invest heavily on replacement of pipes, construction and upgrading of dams and water treatment plants. Additionally, the Government is providing water tank grant schemes to low income families for the purchase of water tank and domestic water pump.

167. Mauritius emphasises the need for integrated water resource management to ensure the sustainable and equitable use of water resources. The country has been implementing policies that promote efficient water use, conservation, and protection of water sources.

168. Mauritius is committed to maintaining water quality and preventing water pollution and is implementing measures to control pollution from agricultural runoff, industrial discharges, and urban waste, thereby safeguarding both human health and aquatic ecosystems.

169. To curb water shortages in Rodrigues, around 1575m<sup>3</sup> is processed per day at its 4 desalination plants Rodrigues has 46 reservoirs with a storage capacity of 26860m<sup>3</sup>.

#### D. Right to adequate housing

##### *Access to NHDC Housing unit*

170. The Ministry of Housing and Land Use Planning together with its executive arm, the National Housing Development Company Ltd, (NHDC Ltd) have as mission to provide access to affordable residential units. The NHDC offers various subsidies to eligible beneficiaries to become owner of a house and financial assistance with respect to casting of roof slabs and purchase of building materials, grant schemes to the most vulnerable groups of society and treats hardship cases on a case to case basis and as per the eligibility criteria.

171. Housing units are sold to beneficiaries of different income thresholds by the NHDC Ltd with varying subsidy from the Government as elaborated below:

<i>Household Income</i>	<i>Payment by Beneficiaries</i>	<i>Government Subsidy</i>
< Rs 10,000	20%	80%
Rs 10,001– Rs 30,000	33%	67%

172. The NHDC Ltd has, since January 2019 to December 2023, delivered 2,489 housing units to families in need, with all necessary infrastructure.

##### **New Social Living Development Ltd**

173. The New Social Living Development Ltd is a private company created in May 2019, as a special purpose vehicle with the mandate of constructing 12,000 housing units for low and middle-income families with a monthly income of up to Rs 30,000. Phase 1 will consist of the construction of 8000 units targeting beneficiaries with a monthly income up to Rs 30,000. The project will be on a design and build basis and is expected to be completed by July 2025. Rs 6.23 billion was earmarked for financial year 2023-2024.

##### **Roof Slab and Purchase of Building Materials Grant Scheme**

174. Financial assistance with respect to the casting of roof slab and purchase of building materials grants schemes were put in place to assist individuals in the construction of their houses. Since the creation of the grant scheme in 1997 and up to end of December 2023, around 63,406 families benefitted from the scheme and some Rs 2.94 billion were disbursed. To further support families in their endeavour to construct a safe and decent home, the grant scheme for the casting of roof slab and purchase of building materials was increased in Budget 2023/2024 as follows:

(a) From Rs 100,000 to Rs 130,000 for households earning up to Rs 15,000 instead of Rs 10,000 monthly;

(b) From Rs 50,000 to Rs 100,000 for households earning from Rs 15,001 to Rs 20,000 monthly; and

(c) The schemes are being extended to households earning from Rs 20,001 to Rs 30,000 monthly, with a maximum grant of Rs 75,000.

##### **Rehabilitation works**

175. The Government invested over Rs 200 million for major rehabilitation projects in respect of high rise apartments in existing NHDC housing estates to improve the living conditions of the inhabitants. The rehabilitation programme pertains to works such as waterproofing, wastewater disposal, repairs to cracks and structural remedial works.



### Off-Site Infrastructure

176. The Government fully subsidise off-site infrastructure works undertaken by relevant authorities in respect of the following:

- (a) Laying of pipe from Central Water Authority main to site;
- (b) Extending Central Electricity Board distribution network to supply electricity to site;
- (c) Transfer of High-Tension Poles to site;
- (d) Drainage Works; and
- (e) New access roads and/or upgrading of existing roads to project site.

177. Sites identified for social housing projects are, as far as possible, situated near built-up areas (businesses/companies/shops/supermarkets) and close to recreational, educational and social amenities (health centres). Joint site visits with stakeholders such as the Ministry of Health and Wellness (MOHW) and Ministry of Environment, Solid Waste Management and Climate Change, are carried out and they have to submit their views/ clearances regarding the suitability of the site.

178. The technical feasibility of the plot of land may include whether the site is in a flood prone area, has favourable geotechnical/percolation test results, is located within buffer zones of bad neighbour development or is located within or on the edge of settlement boundary so as to cluster with existing settlements, as well as avoid high cost in providing offsite infrastructure.

179. Eviction of the occupants of an NHDC housing unit may be necessary in some circumstances when a unit is seized and sold at auction and repossessed by the NHDC Ltd. When a house buyer defaults in payments, the following process is followed:

- (a) A first letter is sent to the buyer who is in arrears for the first time;
- (b) A reminder is sent if the buyer does not respond;
- (c) A severe letter reminding the defaulter of his arrears status if the latter has still not responded;
- (d) In case the buyer still does not respond, the matter is referred for legal action which may lead to Seizure and Sale by Levy. Contracts signed before March 2007 are referred to Attorney whereas those post March 2007 are referred to the Borrowers' Protection Office; and
- (e) when a case is sent to Attorney/Borrower Protection Office, the buyer may effect payment/settle the amount due at any time before sale by levy.

180. It is to be highlighted that the objective is not to seize and evict the house buyer from his house. A case is referred to Attorney for legal action only when all attempts to counsel/convince the defaulter to effect payment has not been successful.

181. After the NHDC Ltd has repossessed the housing unit through Sale by Levy, the following procedure is followed for eviction in case the housing unit is occupied or furnished:

- Once liberation is obtained, the NHDC Ltd communicates the names of the occupants to the Attorney at Law;
- The Attorney at Law prepares an affidavit which is sworn by an officer of the NHDC;
- The Attorney at Law files the affidavit in Court and a deadline for occupants to leave, quit and vacate the housing unit, as obtained by the Judge's Order, is communicated, to the occupant by the Attorney at Law;
- After the deadline, NHDC Ltd checks whether the occupants have left or otherwise;
- If not, NHDC Ltd requests the Attorney at Law to apply for Eviction Order which, once obtained, is executed by the NHDC Ltd with the assistance of an Usher and the Police Force; and

- After the eviction is carried out, the NHDC Ltd seals the housing unit with the assistance of the police.

182. 6 Evictions were executed from 2018 to December 2023.

### **Housing in Rodrigues**

183. The Housing Schemes has encountered changes since 2019 till June 2022. The previous scheme provided for the construction of a concrete housing unit of either 50m<sup>2</sup> (with an estimated cost of Rs. 750,000) or 60m<sup>2</sup> (with an estimated cost of Rs. 900,000) to eligible beneficiaries who possess a land lease, but do not possess a concrete house. Under this scheme, the beneficiaries had to select from a pool of approved Construction Industry Development Board registered contractors for the construction of their housing units. However, since June 2022 the New Social Housing Scheme was implemented under the Housing and Rehabilitation Programme. The programme comprises of four different schemes as listed below:

- Social Housing Scheme;
- Upgrading of Trust-Fund Housing Scheme;
- Infrastructure Development to Needy Families Scheme;
- Casting Roof Slab Scheme.

## **Article 12**

### **Rights to the highest standard of physical and mental health**

#### **Universal access to health facilities**

184. Free Health Care Services are provided in all public health institutions comprising of five Regional Hospitals, two District Hospitals, two community hospitals and six specialised hospitals with a total of 3,601 beds as at end of 2023. These include a new cancer hospital opened in February 2021, a new hospital for ear, nose and throat diseases launched in October 2019, a hospital for eye diseases, one for psychiatric patients and one cardiac centre and one chest hospital. In the private sector, 21 private health institutions operate with around 1020 beds as at end of 2023. All regional, district and specialized hospitals have an out-patient department. Out-patient services are also delivered in 2 Community Hospitals, 7 Mediclinics, 19 Area Health Centres and 114 Community Health Centres.

185. The implementation of the Health Sector Strategic Plan 2020-2024 promotes health service delivery with prominence on customer care, primary health care, health promotion, preventive medicine and specialised care, including the prevention of mental illness and psychiatric services. As at 31st of December 2023, out of the 707 activities identified, some 428 representing 61% were completed, 257 representing 36% were either initiated or in-progress and 22 representing 3% were planned for the coming years.

186. A National Integrated Care for Older People Strategic and Action Plan 2022–2026 elaborated by the MOHW, with the support of the World Health Organisation in collaboration with the MSISSNS, was launched by the Prime Minister in March 2023. The Government constantly aims to provide the elderly with the necessary assistance so that they can live in the best conditions possible and enjoy a good quality of life. The implementation of the Plan is a landmark initiative for the country to enable elderlies to age healthily, live in decent conditions and remain autonomous.

187. The budget allocated to the MOHW has continually increased over the years to reach Rs 15.7 billion in FY 2023-2024. Investment in major infrastructural projects include the New Cancer Hospital, Flacq Teaching Hospital, a new Eye Hospital, a Renal Transplant Unit and construction of 6 new Mediclinics, 7 Area Health Centres (AHC).

#### **Improving child and maternal health**

188. For maternal and child health, as per the Agenda 2030 for Sustainable Development, Mauritius achieved progress for some SDG targets. For example, in 2022, Neonatal Mortality

Rate per one thousand live births was 8.9 as compared to the global target of 12 and Mortality Rate was 16.5 as compared to the global target of 25. The setting up of one additional National Neonatal Intensive Care Unit (NICU) in October 2021 increased the number of NICU beds to 30 island wide.

189. To improve the nutritional status of infants, Mauritius is implementing the Breastfeeding Action Plan to promote the practice of breastfeeding among nursing mothers and sensitise them to its benefits for babies.

### **Sexual and reproductive health**

190. A National Sexual and Reproductive Health Policy 2022 is being implemented with its implementation plan 2022 – 2027 aiming to protect and promote Sexual and Reproductive Health (SRH) and Rights. The objectives are as follows:

- (a) Empower all people to make informed decisions about their Sexual and Reproductive Health and ensure that their SRH rights are respected, protected, and fulfilled;
- (b) Improve access to comprehensive and integrated Sexual and Reproductive Healthcare and treatment services across all life stages;
- (c) Facilitate access to respectful and non-judgmental SRH services for priority and vulnerable groups;
- (d) Strengthen the health system to deliver integrated SRH services at primary level in the healthcare system; and
- (e) Promote multisectoral engagement and shared accountability for a sustainable and rights-based service delivery.

191. A comprehensive package of SRH services is delivered across the country. The Mauritius Family Planning and Welfare Association Act of 2018 established the Mauritius Family Planning and Welfare Association for promoting awareness about planned parenthood, family welfare, healthy ageing, good health and social integration.

192. Sexuality Education is provided both at school and in the community. Modules on sexuality education are included in the school curriculum targeting children aged 18 or less. Talks are conducted on Sexual and Reproductive Health by Community Health Care Officers on a regular basis in schools and community. The MOHW collaborates with Non-Governmental Organisations (NGOs) to organise talks, activities and screening sessions for children on specific issues related to Sexual and Reproductive Health.

193. In case of teenage pregnancy, medical and psychological supports are provided by the MOHW and these children are often followed by a Medical Social Worker and CDU. They are made aware of modern methods of contraception.

194. However, to access to these methods or any individual counselling session without parental consent, they should be of the age 16 or more. For children less than 16 years, they are requested to be accompanied by a responsible party. The MOHW installed condom distributing machines in strategic places, where children irrespective of age, have access to condoms.

### **Non-Communicable Diseases (NCDs)**

195. The MOHW has a well-established Non-Communication Diseases and Health Promotion and Research Unit which is responsible for screening of NCDs in the Community. Screening is conducted aged 18 onwards at work sites and in community areas across the island.

196. During screening sessions, emphasis is laid on sensitization and health promotion campaigns through:

- Health talks to increase the awareness of NCD risk factors and how to minimize the risk of developing NCDs; and
- Distribution of pamphlets on different health aspects like alcohol, drug abuse, breast & cervical cancer, tobacco, physical activity, healthy diet.

197. Around 400,000 people were reached following these campaigns. From January 2019 to March 2023, a total of 221, 891 talks were delivered in which 169,091 were related to NCDs and their risk factors and 52,800 were delivered related to breast and cervical cancers.

198. From January 2019 to March 2023, 152,471 people were screened in the community and at worksite; in which 127,919 people for NCDs and their risk factors and 24,552 women for breast and cervical cancers.

199. From January 2019 to December 2023, 130,461 students through the School Health Programme of 177 secondary schools of Grade 7, Grade 9 and Grade 12 were screened for the early detection of NCDs.

200. In addition, Weekly TV (“Priorité Santé”, “Tou Korek”, and “Minute Santé”) and Radio Programme (“Mauricien kone ou la santé” in creole and Bhojpuri languages), are carried out to educate and sensitise the population on various health topics and NCDs and their risk factors.

201. Health Promotion Clubs were set up to encourage practice of regular physical activity and to adopt healthy eating habits. Talks on health issues including mental health, stress management, diabetes, cardiovascular diseases, alcohol and substance abuse are held to raise awareness. Additionally, medical check-up for early detection of diabetes, hypertension, breast and cervical cancer are carried out. 70 Health Promotion clubs were set up and others are in the pipeline.

202. This Screening Programme is also done in collaboration with National Empowerment Foundation for SRM beneficiaries to outreach the service to vulnerable people, to Citizen Support Unit, and National Women Council.

### **Hepatitis C**

203. The MOHW has set a goal to eliminate Hepatitis C. HEP C treatment has been expanded in all settings including in prisons. Treatment by the MOHW is provided to NGOs and through mobile clinics. Hepatitis C treatment is integrated in the Human Immunodeficiency Virus (HIV) services for the management of the HIV/Hepatitis C co-infected individuals.

204. Targeted awareness sessions on Hepatitis C are carried out during HIV Prevention Programmes among People Who Inject Drugs in the community. An average of 1,800 sessions were held reaching 27,428 persons annually in the past five years.

205. All pregnant women are encouraged to get tested for HIV, Hepatitis B and C and Syphilis. Those who are HIV positive are linked to care and managed according to the Prevention of Mother to Child Transmissions (PMTCT) protocol. The PMTCT coverage is 94%. HIV positive pregnant women followed in private clinics also have access to all HIV services provided by the MOHW free of charge.

### **Clandestine Abortion**

206. Section 235 A (1) of the Criminal Code provides that no person shall provide treatment to terminate a pregnancy unless he –(a) is a specialist in obstetrics and gynaecology who is registered as such under the Medical Council Act; (b) provides the treatment in a prescribed institution; and (c) complies with all the requirements of this section. Section 235 A (2) of the Criminal Code provides that the specialist referred to in subsection (1)(a) may only provide treatment to terminate a pregnancy where another specialist in obstetrics and gynaecology and another specialist in the relevant field share his opinion, formed in good faith, that – (a) the continued pregnancy will endanger the pregnant person’s life; (b) the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant person; (c) there is a substantial risk that the continued pregnancy will result in a severe malformation, or severe physical or mental abnormality, of the foetus which will affect its viability and compatibility with life; or (d) the pregnancy has not exceeded its fourteenth week and results from a case of rape, sexual intercourse with a female under the age of 16 or sexual intercourse with a specified person which has been reported to the police.

### **Prevention of use of illicit drugs**

207. A High-Level Drug and HIV Council was set up under the Prime Minister's Office to ensure a strong, efficient and effective national response to Drug and HIV. This Council which is chaired by the Honourable Prime Minister comprises both governmental and Non-governmental institutions. The main objectives of the Council are to foster a multisectoral approach to provide a stronger response to Drug and HIV; and propose measures to minimise the impact of drug and HIV.

208. The country developed a National Drug Control Master Plan 2019 -2023 (NDCMP) to address drug control comprehensively and efficiently. The NDCMP is the outcome of a consultative collective national effort, in collaboration of major stakeholders, including NGOs and law enforcement agencies, and with the support of the United Nations Office on Drugs and Crime.

209. The NDCMP rests on four strategic pillars, namely:

- Drug Supply Reduction;
- Drug Demand Reduction, namely drug use prevention, drug use disorders treatment, rehabilitation and social reintegration;
- Harm Reduction; and
- Coordination Mechanism, Legislation, Implementation Framework, Monitoring and Evaluation and Strategic Information.

210. A National Drug Secretariat was set up at the Prime Minister's Office to ensure coordination of the implementation of the NDCMP. The Secretariat also has the responsibility to run the National Drug Observatory, which is to monitor the situation regarding substance abuse closely and recommend actions in guiding the national response to the drug issue.

211. The Drug Use Prevention Programme encompasses a community-based Training of Trainers Empowerment programme in drug prone areas is the Youth Empowerment Programme Against Drugs. It was launched since March 2021 with stakeholders from Civil Society, NGOs and other Ministries. Around 672 participants were empowered under the Programme carried out at the level of Workplace, Community and Education Institutions.

212. Addiction Treatment Units were set up since 2018 in the 5 Regional Health Zones and offer services to around 6500 attendances yearly. In addition, there are 4 Residential Rehabilitation Centres, while one dedicated solely to youth less than 24 years, the Nenuphar Centre and Centre Orchidee fully dedicated to female drug users.

213. Harm Reduction Services are being offered at 5 Methadone Day Care Centres and 50 Needle Exchange Programme sites around the island. Daily methadone doses are dispensed at 48 sites across the country. In addition, there is a One Stop Shop at one Day Care Centre to cater for patients with HIV infection.

214. Government has approved the setting up of a Drug Users Administrative Panel to help deal with victims of substance abuse in a holistic way in order to break the cycle of dependence and enable these people to find their way back to society.

215. Where a drug user is suspected of having committed a drug offence for personal consumption, on the recommendation of the Director of Public Prosecutions, the former is not prosecuted for that offence but instead will be referred to the Drug Users Administrative Panel. The drug user will be directed to undergo rehabilitation such as education, counselling, treatment, aftercare, social reintegration or any other therapy. The Panel will monitor the progress of the drug user during the period of rehabilitation and will assist the drug user to overcome his addiction to drugs.

### **Awareness/Sensitization on Drugs**

216. The MOHW conducts an extensive anti-drug campaign throughout the island targeting the youth in and out of school, the workforce and the community at large. These

are done through awareness and educational sessions at schools, sensitization programmes in the community and workplace; and through radio and tv programmes.

217. Starting from January to December 2023, 10,736 students were reached in educational institutions, 947 participants in the community, 144 participants in Out-of-School youth; and 1899 participants at the workplace.

#### **Needle Exchange Programme (NEP)**

218. The Needle Exchange Programme is a Government led outreach programme started in 2006 targeting People Who Inject Drugs in view to curb the trend of HIV infection in this vulnerable population.

219. As at date, 51 sites are operational throughout the island in areas where there is concentration of Injecting Drug Users with around 2000 beneficiaries. 43 sites are run by the MOHW through mobile caravans and 8 sites are run by NGOs.

220. In 2023, the MOHW and NGOs distributed 942,302 syringes and 973,685 needles. Alcohol swabs and condoms are provided to NGOs for the NEP.

#### **HIV/AIDS**

221. The Government is committed to eliminate HIV by 2030. In this respect, the National Action Plan 2023-2027 has been developed and a multi-sectoral rights-based and person-centred approach has been adopted to ensure no one is left behind and to reach the country's goals aligned with those of the SDGs. The guiding principle of the NAP 2023 – 2027 are those of Universal Health Coverage, Continuum of HIV services and public health approach to HIV services.

222. The HIV and AIDS Act provides for a rights-based approach to HIV and AIDS-related issues. It safeguards the rights of the people living with and affected by HIV. Women and sex workers are also covered under the HIV and AIDS Act and HIV programming.

223. HIV prevention, testing, antiretroviral treatment, care and support services are accessible and available free of user cost in public health institutions. Women and girls living with and affected by HIV have equal access to these HIV services.

224. Treatment such as antiretroviral medicines are also provided free of end user cost in public hospitals and this includes women and girls living with HIV and AIDS. Stigma and self-stigma being one of the barriers to treatment, all efforts are being to eliminate all barriers impeding on access to prevention, treatment, care and support services.

225. A “Centre de santé Sexuelle Communautaire” called “Banian”, was set up in collaboration with the NGO, PILS, with the aim of:

- Promoting awareness on HIV;
- Increasing HIV testing services among the general population, including hard-to-reach groups;
- Effectively promoting Pre-exposure prophylaxis (PrEP) intake;
- Providing treatment to people living with HIV (PLHIV) and track Lost-to-Follow-Up patients and link them back to care.

226. Since the initiation of PrEP in November 2022, 176 clients were registered on PrEP. Since HIV treatment started in October 2023, 35 patients were registered at the centre. It has been noted that 8 patients who were already registered at the National/Day Care Centres for the Immunosuppressed (N/DCCI) but were reported to be Lost to Follow Up (LTFU) were successfully linked back to care at Banyan Centre.

227. Training of social workers, peer educators, health care providers and community leaders are carried to reduce stigma and discrimination towards People affected by and living with HIV through various channels.

228. Workshops involving community leaders, religious bodies, village councillors, school teachers, NGOs, healthcare providers, social workers were conducted in the context of the

World AIDS day to promote community awareness about HIV/AIDS, to understand the HIV services provided by the MOHW and to address the problem of stigma and discrimination faced by people living with HIV. A total of 245 persons participated in the workshops.

229. Training and workshops are being reinforced among health care providers to address the problem of stigma and discrimination in the health care settings. In 2023, 1,343 health care workers were reached through awareness sessions.

230. In schools, age-appropriate awareness sessions and HIV Testing are carried out at national level. Since the reopening of schools in January 2023, a total of 418 sessions were held, reaching 14,362 students through school intervention sessions.

231. Testing sessions are now being expanded in tertiary institutions, so that young people are aware of their HIV status. From January 2023 till date, 282 students in tertiary institutions were reached.

232. With respect to Rodrigues, the Commission responsible for Health is addressing the issue of drug use and its effects through various programmes run by the HIV/AIDS Unit and the NCD Units. The programmes consist of ongoing activities run throughout the year as drug use are related to HIV/AIDS proliferation and NCD.

### **Mental Health Care**

233. In order to increase the accessibility and availability of Mental Health Care, the decentralization of the psychiatric services is ongoing. Mental Health Care services are available in all the five regional hospitals and was extended to 30 AHCs, CHCs and Medi Clinics.

234. Community Psychiatry Nursing Care was set up and is at present available in 4 of the five regions and will be extended further in order to bring mental health care closer to the population.

235. Skilled personnel and professionals trained to deliver mental health care services are constantly on the increase. Twenty years back, there were only 2 Psychologists and at present, 16 Psychologists are posted in the different hospitals and 28 Psychiatrists posted in the different services.

236. In order to combat the social stigmatization of persons suffering from mental health conditions, a radio program concerning mental health is ongoing throughout the year. 90 programs were carried out from 2019 to 2023.

237. The Mental Health Day is celebrated yearly and financial support is guaranteed to those suffering from mental health conditions.

### **Articles 13 and 14 Right to education**

238. The right to education to everyone in Mauritius is guaranteed under Section 37 (2) of Education Act. Education is mandatory for all children aged between 5 and 16 years old. Government has allocated around 12.7% of the national budget over the past years to the provision of free education. There is a total of 770 pre-primary, 325 primary and 179 secondary schools, 41 Higher Education Institutions and 5 Polytechnics, operating both within the public and private sectors. Educational institutions are located across the Republic and there is no disparity in the provision of education in urban and rural areas. The 4A's (availability, accessibility, acceptability and adaptability) framework ensuring cardinal principles of access, equity, inclusion, quality, relevance and achievement in education is adhered to.

239. Free universal education is offered at primary and secondary levels and for the first undergraduate degree in public educational institutions. Free pre-primary education which was available only in public pre-primary schools was extended to private aided pre-primary schools as from January 2024 benefitting around 11,497 children.

240. The State of Mauritius ensures equal access to quality education. The total number of students enrolled is as follows:

Year	Pre-Primary		Primary		Secondary		SEN		Tertiary	
	Male (M)	Female (F)	M	F	M	F	M	F	M	F
2024	11 801	11 421	43 2881	41 857	47 195	49 690	1 839	855	18 478	24 346
<b>Total</b>		<b>23 222</b>		<b>85 145</b>		<b>96 885</b>		<b>2 694</b>		<b>42 824</b>

241. Students are encouraged to participate in all activities, irrespective of their sex. The Nine Year Continuous Basic Education (NYCBE) introduced in 2017 ensures that all children follow a common curriculum of at least nine years of basic education as a foundation for future learning, in line with SDG 4. A common curriculum is taught to all, irrespective of gender, religion or belief.

242. Free school textbooks are offered to pupils at public primary and lower secondary levels. Free transport is provided to all students of primary, secondary, technical and tertiary education. Government pays the fees for SC and HSC examinations for first time candidates, provided that they satisfy the attendance criteria.

243. Students who require help under the SRM, are provided yearly with school materials such as bags, uniforms, shoes, copybooks and stationery to motivate them to attend educational institutions. Since 2018, around 73,560 children were provided with free school materials.

244. In the Primary Education sub-sector, the Early Support Programme was implemented as an innovative educational support plan for pupils with learning difficulties and the Early Digital Learning Programme has also been fully implemented in Grades 1 to 6 with a view of democratising access to digital education.

245. A wide range of integrated support along with psychological services are provided to students at different stages to promote their social and emotional well-being. Innovative and creative tools such as Edutainment, Interactive Theatre and Art Week are used to increase participation and interest of students to combat social scourges.

246. Around 70 annual scholarships are provided to the best HSC students, including 24 based on both merit and social criteria. Scholarships for children from vulnerable families and scholarships for students with disabilities are provided.

### **Absenteeism /Drop-outs**

247. To ensure that all students receive a full-time education that provides them with opportunities to achieve their full potential and prepare them for life, a Student Tracking System was introduced as a reinforcement strategy for Compulsory Attendance up to Age 16. This exercise was implemented to identify the pupils and students who are not attending schools and to identify the causes of their absenteeism.

248. The Ministry of Education, Tertiary Education, Science and Technology (METEST) has introduced an e-Register (SMS) System in State Secondary schools and some Private Secondary schools with a view to containing truancy, absences and lateness.

249. A Student Attendance Policy was put up since November 2015, with the aim to:

- Have a common, manageable policy on attendance procedures that all schools implement;
- Provide a general framework for schools to elaborate their specific attendance policies;
- Support measures towards maintaining a high percentage of student attendance and punctuality at school;
- Reinforce the authority of schools in acting against chronic absenteeism; and



- Set down responsibilities at different levels in the controlling and monitoring of student attendance.

250. To further discourage absenteeism, Government pays the fees for SC and HSC examinations for first time candidates, provided they satisfy the attendance criteria, as per existing policy for Grades 10 and 11 for SC and Grades 12 and 13 for HSC.

251. Services of Educational Social Workers and Psychologists are solicited in cases of prolonged absenteeism. Number of cases attended are as follows:

<i>Year</i>	<i>Number of cases attended to regarding absenteeism</i>
Jan 2020-May 2021	1 351
June 2021-Dec 2022	2 319
Jan 2023-Dec 2023	1 672

### **The “Zone d’Education Prioritaire” Project – (ZEP) Project**

252. ZEP Project caters for pupils from vulnerable groups in deprived regions whereby they are provided with additional support, including socio-pedagogies, adapted teaching, health monitoring and a daily meal. Around 6,670 pupils of the 30 ZEP primary schools, including one in Rodrigues and two in Agalega, are served a full meal funded under the Primary School Supplementary Feeding Project.

### **Additional support to primary pupils and secondary students having learning difficulties**

253. Summer/Winter Programmes are also held to support pupils with learning difficulties and the Fortified Learning Environment-Extended Programme was introduced by the National Social Inclusion Foundation to facilitate the basic literacy, numeracy and socio-emotional development of slow learners.

### **Special Education Needs (SEN)**

254. The Special Education Needs Authority (SENA) Act, enacted in 2018, mandates the SENA to monitor, harmonise and facilitate the implementation of Special Education Needs (SEN) policies, for the education and holistic development of persons with special education needs in line with the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

255. As at June 2023, 73 SEN Institutions [18 public (11 Integrated SEN Units in Primary Schools and 7 SEN Resource and Development Centres) and 55 private] were registered with SENA with some 2694 students. The SEN institutions are provided with a Grant from the Government which was increased by 23% in 2023 to Rs191 million.

256. Learners with physical disabilities are admitted to the mainstream/general system following an assessment carried out by a team of health professionals. Based on the specificity of their disability, appropriate support is provided such as tablets and voice to text applications for hearing impaired children. Learners with disabilities who cannot be admitted in mainstream schools, are either accommodated in Integrated SEN Units in public schools or private Specialized SEN Institutions registered with the SENA. They are supported by professionals and are provided with a daily meal for lunch. Other dedicated support provided to learners with special needs in terms of accommodation, and adapted learning materials are listed at Annex 2.

### **Introduction of mother tongue in primary schools**

257. Introduced in Primary Schools in 2012, Kreol Morisien (KM) was offered as an optional subject in Secondary Schools in 2018 and the first cohort took part in the National Certification of Education (NCE) examinations in 2021 where the pass rate was 96 %. In 2022, KM was introduced in Grade 10 and the following year in 2023, 184 students took part for the National School Certificate whereby the pass rate was 96.28%. In 2024, 19,462 chose

KM as an optional subject at primary level, 8,339 students at lower secondary level and 1299 at upper secondary level.

258. Kreol Morisien is used as support medium in teaching, especially at primary and lower secondary levels. The University of Mauritius and the Akademi Kreol Repiblik Moris (AKRM) in collaboration with the Mauritius Institute of Education and the Creole Speaking Union offer courses in KM to the general public for administration and for communication.

259. Moreover, Kreol Rodrige was developed and is taught in Rodriguan schools since 2020. A Rodriguan Creole Dictionary was launched in 2021.

### **Technical and Vocational Education**

260. Polytechnics Mauritius Limited was established in 2017 and the Institute of Technical Education and Technology Act was enacted in 2021 to create more pathways for students to pursue studies in technical and technology education. As of January 2024, the Technology Education was introduced at secondary level as an alternative educational pathway for Cambridge O level students.

261. The MITD is mandated to promote excellence in technical, vocational education and training through exchange programmes and courses. It has partnered with six foreign institutions, including l'Université d'Angers and Le Lycée d'Hôtellerie et de Tourisme de Saint Quentin-en-Yvelines, Monaco, to enhance/promote quality training for citizens at affordable costs.

262. The MoETEST, in collaboration with MITD, the National Social Inclusion Foundation (NSIF) and the Mauritius Sports Council, has introduced the Bright Up Programme, for students who sat for but not awarded the NCE, as from 2024. The programme provides for life skills preparation for responsible citizenship, outdoor education and sports leading to the world of work through National Certificate 2 and/or leading to a National Certificate 3 and the NAP. Some 1,100 students registered for the Bright Up Programme for academic year 2024.

### **Capacity building and Human Resource**

263. The MoETEST conducts an analysis of teachers/ educators required every year so that there is no shortage of human resource in the primary and secondary sectors, as well as to ensure the quality of education being provided in the institutions.

264. Professional Learning Community (PLC), a platform where Educators and Support Teachers can meet to discuss common issues and come up with strategies to resolve the problems and share best practices, was set up for the primary sector in July 2023.

265. The MoETEST is planning also to set up an Academy for Education Professionals to infuse Continuous Professional Learning and Development (CPLD) programmes among administrative, teaching and non-teaching staff of the Education Sector in Mauritius This will encourage peer learning and development of a community of good practice across schools, as well as leading to a culture of on-going learning among Educators.

266. The higher education enrolment stood at 49.5% for year 2023.

### **Climate Change**

267. Small Island Developing States are highly vulnerable to the adverse impacts of climate change as highlighted in the 6th report of the Intergovernmental Panel Climate Change. Climate change is one of the most critical challenges for Mauritius. The frequency of extreme weather, heavy rains and tropical cyclones has increased significantly over the last decades.

268. According to the World Risk Report 2023, Mauritius is ranked 106th within countries that are most vulnerable to natural hazards and disaster risk. The Global Climate Risk Index, ranked Mauritius 14th as regards disaster risk and 7th most exposed to natural hazards. This is mainly due to its geographical location on the cyclonic basin.

269. The Climate Change Act 2020 entered into force on 22 April 2021 and establishes a legal framework towards making Mauritius a climate-change resilient, and low emission

country. The Act makes provision under section 8(2)(m) to take into consideration, inter alia, human rights, cultural heritage and gender issues. In line with provisions of the 2020 Act:

(a) An Inter-Ministerial Council on Climate Change was set up under Section 4 and is chaired by the Honourable Prime Minister to set national objectives, goals, targets and make climate change policies with a view to making Mauritius a climate change-resilient and low emission country;

(b) A Climate Change Committee was also set up under section 11 and is chaired by the Supervising Officer of the Ministry of Environment, to enable multi-stakeholder participation in the preparation of national climate change strategies and action plans for mitigation and adaptation, and coordinate the implementation of measures and strategies at sectoral level.

270. With regard to vulnerability assessment and adaptation, the following provisions have been made in the Climate Change Act 2020:

(a) Section 6(1)(a)(i): the Inter-Ministerial Council on Climate Change shall make climate change policies and set priorities for adaptation in agriculture, biodiversity, coastal zones, infrastructure, the port, marine environment, tourism, fisheries and water sectors and any other relevant sector;

(b) Section 11(3)(b): the Climate Change Committee shall coordinate the implementation of measures related to the assessment of risks associated and vulnerability to climate change and adaptation to climate change.

271. Strengthening of Disaster Risk Reduction (DRR) to address Human Rights forms an important component of adaptation to climate change which is a priority for Mauritius. The DRR Strategic Framework and Action Plan (181 actions) which is under implementation, is in line with the updated Nationally Determined Contributions (NDC) 2021 and the National Climate Change Adaptation Policy Framework 2021.

272. Mauritius empowers key stakeholders and the public through sustained capacity building and awareness raising activities. Regarding outreach, a database of climate related risk drivers was published. Statistics Unit of the Ministry of Environment, Solid Waste Management and Climate Change collects, compiles and publishes environment related statistics based on the recommended UN Framework for the Development of Environment Statistics, 2014 (FDES 2014).

273. This framework was applied since 2015 and consists of about 458 statistics/indicators of which around 175 are covered in the Digest of Environment Statistics published by Statistics Mauritius.

274. The MauDIMS is an online database which stores disaster related information. It allows for analysing disaster data for Disaster Risk Reduction, development planning, or monitoring global progress in line with Sendai Framework Monitor.

275. Government revamped the National Environment and Climate Change Fund to provide around Rs. 2 billion yearly to support adaptation actions such as drain construction, coastal protection and rehabilitation as well as disaster risk reduction and management. For the implementation of the NDC, it is estimated that USD 6.5 billion would be required. Financial support from external sources of around 65% of this amount is required.

### **National Disaster Risk Reduction Management**

276. Section 9 (2) of the National Disaster Risk Reduction and Management Act 2016 (NDRRM), the National Disaster Risk Reduction and Management Centre (NDRRMC) acts as the main institution in Mauritius for coordinating and monitoring the implementation of disaster risk reduction and management activities.

277. The NDRRMC coordinates with stakeholders to ensure that risk reduction and preparedness planning is included at all levels of the country, from individuals and communities, institutional to Government policy and strategy. At the local level, Local Disaster Risk Reduction & Management Committees were established within all Municipal

and District Councils along with the appointment of Local Disaster Management Coordinators.

278. The object of the NDRRM Act 2016 is to make better provision to ensure that the Government is able to organize response before, during or immediately after a disaster, through:

- (a) Prevention and reduction of the risk of disasters;
- (b) Mitigation of the adverse impacts of disasters;
- (c) Disaster preparedness;
- (d) Rapid and effective response to disasters.

279. During crisis situation, depending upon the extent, magnitude and severity of the threat, the National Emergency Operations Command (NEOC) is activated to coordinate and monitor preparedness, response, relief and recovery activities associated to the event. The management of crises/emergencies/disasters operates on a three-tiers system involving the National Crisis Committee at the Minister's level, the NEOC at national level and the Local Emergency Operations Command (LEOC) at municipal/district council levels. Priorities are given to assist or evacuate vulnerable persons including women, girls, the elderly and persons with disabilities during a disaster.

280. The National Multi-Hazard Emergency Alert System is a major project in line with Sendai Framework, with the initiative of Early Warning for all. The project consists of a reliable high-performance system using a Common Alert Protocol standard. The system disseminates alerts to targeted stakeholders including First Responders, Ministries, Departments and the general public including tourists within an acceptable time frame through a number of communication channels namely SMS, Emails, Voice Dial Out and through the Internet through websites, social media and digital display boards.

281. The National Disaster Risk Reduction and Management Policy, Strategic Framework and Action plan (NDRRMPSFAP) 2020 - 2030 for the Republic of Mauritius was completed in January 2021 and was launched 02 March 2021. The NDRRMC is a designated member of the Climate Change Committee, the platform for the harmonization of climate change adaptation and disaster risk reduction.

282. Strategies implemented to strengthen preparedness of communities with regards to climate change and natural disasters include:

- The Community Disaster Response Programme (CDRP) which trains Community members to respond to emergency situation in terms of relief and assistance to vulnerable people/disaster survivors/victims. Through training and pre-planning, it is designed to prepare communities for effective disaster response;
- Sensitisation campaigns targeting vulnerable persons comprising school children, SEN schools, persons with disabilities, older persons, including those in Residential Care Homes and Elderly Day Care Centres on basic precautionary measures to be taken before, during and after natural disasters;
- Involvement of the community of vulnerable regions in Simulation Exercises (flooding, landslide, tsunami, fire drill, high waves, HAZMAT);
- Development Contingency plans for vulnerable regions and critical infrastructure by the NDRRMC and Local authorities.

283. In line with Government Programme 2020-2024, Mauritius is the first SIDS to own a dedicated Refuge Centre which can accommodate a maximum of 1000 persons against natural disasters such as cyclones and floods.

284. The Quatre Soeurs Refuge Centre was inaugurated on 14 March 2023 and aims to protect and safely evacuate local communities living along the south-eastern coastal stretch who are at risks in events of inundation from high tides, storm surges and tidal waves. The building, is also used for training to manage and deal with emergency situations.

285. In Rodrigues, the Rodrigues Disaster Risk Reduction & Management Centre coordinates and monitors the implementation of disaster risk reduction and management activities. During crisis, the Rodrigues Emergency Operations Command is activated to coordinate and monitor response and recovery activities.

286. The Outer Island Development Corporation is responsible for the outer island and a General/Resident Manager is appointed in Agalega to oversee and manage disaster risk reduction and management activities. He leads in consultation with the National Centre, all disaster response operations in Agaléga or Cargados Carajos. Where the NEOC is activated, disaster response operations will be led by the NEOC.

287. The CDRP is also carried out in Rodrigues and Agalega. Sensitisation campaigns, simulation exercises are being held in consultation with the National Centre as per the national simulation calendar prepared by the NDRRMC.

## **Article 15**

### **Right to cultural life and to benefit from scientific progress**

#### **Promotion of arts and culture**

288. In recent years, a number of institutions and a series of incentives were put in place under the aegis of the Ministry of Arts and Cultural Heritage (MACH) to ensure cultural diversity and national unity.

289. Different Cultural Centres have been set up by the Ministry by way of legislation to carry out activities which promote intercultural dialogue and foster mutual cultural understanding, as follows:

- (a) The Islamic Cultural Centre;
- (b) The Nelson Mandela Centre For African Culture;
- (c) The Mauritius Tamil Cultural Centre Trust;
- (d) The Mauritius Marathi Cultural Centre Trust;
- (e) The Mauritius Telegu Cultural Centre Trust;
- (f) The Conservatoire De Musique Francois Mitterrand Trust Fund Act.

290. To promote the different languages in its spoken and written forms in Mauritius and to promote friendship and understanding between the peoples of the world and to engage in any educational, academic, cultural and artistic work to further that objective, different Speaking Unions namely the Bhojpurian Speaking Union, Creole Speaking Union, Chinese Speaking Union, English Speaking Union, Marathi Speaking Union, Tamil Speaking Union, Telegu Speaking Union, Urdu Speaking Union, Sanskrit Speaking Union and Arabic Speaking Union were set up.

291. The Government of Mauritius has set up a Task Force to ensure that Mauritians of diverse faiths are given support in celebrating their culture through religious ceremonies. Public Holidays are decreed for Thaipusam Cavadee, Maha Shivaratee, Chinese Spring Festival, Ougadi, Eid-ul-Fitr, Ganesh Chaturthi, Divali and Christmas and for two commemorative events, namely, Abolition of Slavery and Arrival of Indentured Labourers.

292. The MACH has left no stone unturned to promote arts, culture and heritage and provides substantial support to cultural and creative sectors through various assistance schemes managed by different governmental institutions.

293. These schemes cover several cultural domains, including Cinema/ Audio-visual Arts; Media Arts; Music; Performing Arts; Publishing and Visual Arts. These schemes are applicable at different stages of the cultural value chain such as creation / production (General assistance to artists; Assistance schemes for artists – production of audio CDs/DVDs; National Arts Fund; Film Assistance Scheme; Assistance/Publication of books; Accessing Film Shooting Application Form for a fast-tracking process and Film Assistance Scheme, National Drama Festival and Organisation of International Film Festivals).

294. The MoETEST and the various institutions falling under its aegis lay substantial emphasis and importance to the teaching, learning, appreciation and promotion of Performing Arts, which encompasses Music, Dance and Drama.

295. As part of the NYCBE, reform which aims at ensuring a more inclusive and equitable quality education, some non-core subjects were introduced at primary level. School children have the opportunity to learn music and arts which help them grow holistically.

296. At the Secondary level, nine components of Performing Arts are taught from Grades 7-9 for both Mainstream and Extended Stream students in both state and private schools across the island. The nine components are Vocal Hindustani, Vocal Carnatic, Bharata Natyam, Kathak, Kuchipudi, Sitar, Tabla, the Recorder and drama and they are all assessed at Grade 9 NCE level. Textbooks for all the Indian Music and Dance and for Drama for Grades 7-9 have been conceptualised and are used in all our schools.

297. The MoETEST aims at fostering Science, Technology, Engineering and Mathematics (STEM) subjects, be in terms of facilities provided in state schools and aided secondary schools as well as sensitisation. The Ministry, in collaboration with the Rajiv Gandhi Science Centre (RGSC), organizes regular sessions on scientific innovations and themes, exhibitions and science competitions. Since 2021, RGSC has established Science Clubs in Secondary schools with the view to promoting science applications and processes in schools.

298. It is to be highlighted that Mauritius will also be participating in the Programme for International Student Assessment (PISA) 2025 whereby 15-year old's ability to use their reading, mathematics, science knowledge and skills will be measured.

299. Additionally, Mauritius is in the process of completing the fifth cycle of the Southern and Eastern Africa Consortium for the Monitoring of Educational Quality (SEACMEQ), a programme that looks at educational quality in literacy and numeracy for pupils in Grade 6 of the primary sub-sector in the South and East African Region.

300. The MoETEST is working towards the introduction of the National Credit Value and Transfer System (NCVTS) which will allow mobility of students between HEIs, through the recognition and acceptance of their previously acquired credits of learning. The system will allow for pathways between TVET and HE through recognition of credits towards acquiring more credits in HEIs for the obtention of a degree.

301. Recognition of Prior Learning (RPL) also exists in the TVET sector since 2008. It allows prior knowledge acquired in an informal or non-formal way to be assessed, usually through a portfolio and oral assessment, and is recognised towards obtaining a formal qualification. RPL started at NQF/level 1, that is, CPE equivalent and is now one of the criteria that even HEIs take on board while evaluating an application to study at degree level.

302. In line with SDG 11, Mauritius is committed to preserve national heritage sites such as the Aapravasi Ghat and Le Morne Cultural Landscape. Port Louis forms part of the UNESCO Creative Cities Network. To preserve and promote elements of our cultural and artistic heritage, the Mauritian Segha Tipik - 2014, Geet-Gawai-2016 and Segha Tambour of Rodrigues -2017 were inscribed on the Representative List of the Intangible Cultural Heritage of Humanity. Segha tambour Chagos was inscribed in 2019 on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding.

303. With the enactment of The Status of the Artist Act 2023, the professional, social and economic status of professional artists and professionals in the arts is recognised and improved. Artists now get more access to training and skills development to promote artistic products and services nationally and internationally.

#### **National Arts Fund**

304. The National Arts Fund (NAF) contributes to the financing of creative arts projects and events to empower artists and arts organizations in the different fields of arts and culture. Holistically, the NAF aspires to create a conducive environment to boost the creative industry and cultural tourism. It equally provides opportunities for the population to have a better exposure and appreciate the works of our artists. Over the years it has gained momentum and

it has supported and accompanied a wide range of artistic activities/projects/programmes from both emerging and established artists through the following grants:

- (a) Emerging Talent Grant;
- (b) Production Grant;
- (c) Research Grant; and
- (d) Capacity Building Grant.

### **Artist Incubator Scheme**

305. A second impactful initiative is the Artist Incubator Scheme, a budgetary measure enunciated in the Budget Speech 2022-2023. Its main objective is to provide a conducive environment to emerging artists/ groups and empower them through mentorship.

306. Implemented on a pilot basis in the music sector (song category), the purpose of this scheme is to enable merging artists/ groups to write lyrics, compose the music, produce a song and market their artistic work under the guidance of a mentor. The selected participants are currently being monitored.

### **General Assistance to Artists**

307. One of the main objectives of the MACH is to provide support to associations of artists and to individuals involved in artistic and cultural activities.

308. Other than International Travel Grants (ITG) and Financial Grant for production of audio CDs, support to artists, usually in the form of financial assistance, is granted throughout the year upon receipt of requests from individuals and organisations on a case to case basis.

309. Activities for which assistance is granted include musical concerts by local and/or international artists, art exhibitions, cultural events and components, plays, artistic performances, organisation or participation of artists in international shows / events / conferences, etc.

310. Mauritius has signed Cultural Exchange Programmes with countries such as China and the Islamic Republic of Pakistan while others are awaiting signature. Some of the objectives of the Cultural Exchange Programmes are as follows:

- (a) To strengthen friendly ties and encourage exchanges and cooperation in various fields such as culture, arts, libraries, museums and archives, cinema and theatre among others;
- (b) Exchange visits of art troupes between the two countries;
- (c) Exchange visits of professionals in the arts;
- (d) Technical exchange programmes with institutions such as National Library, Archives, museums and cinema;
- (e) Exchange of information and visits of experts in cultural relics for the preservation and management of cultural sites; and
- (f) Technical exchange and cooperation in the field of Drama and Theatre.

311. The Copyright Act 2014, as amended, provides creators with economic rights allowing them to control how their works are used and to benefit financially from them.

312. The Mauritius Society of Authors (MASA) is the local collective management organisation (CMO) mandated to administer the economic rights of its local copyright owners as well as the affiliates of sister CMOs.

313. The Copyright Act also include moral rights giving the creators the right to claim authorship and to object to any form of mutilation and other modification or derogatory action in relation to the works, which would be prejudicial to their honor or reputation.

### **Schemes under the International Development Grant provided by the MACH**

314. The ITG Scheme is an assistance provided by this Ministry to artists to participate in international festivals where at least 5 countries are participating. The grant up to a ceiling of Rs 250,000 is provided to artists/group of artists to refund the cost of air tickets.

315. A provision of Rs1,000,000 has been made for the Scheme for International Competition Participation to encourage artists to participate in international competition in different art disciplines and encourage them in their future projects and boost the potentials of creative sectors and inspire other artists to showcase their talents beyond our frontiers.

316. A provision of Rs1,000,000 has been available for the Scheme for International Award to facilitate the participation of artists who have been nominated in International Award Ceremonies in recognition of their outstanding performances on the international scene. This will encourage them in their future projects, not limited to cinematography, whereby boosting the economic potentials of creative sectors and inspire other artists to showcase their creations beyond our frontiers.

317. Assistance to the tune of Rs 150,000 for participation in International Award Ceremonies is provided to facilitate the participation of artists who were nominated in International Award Ceremonies in recognition of their outstanding performances on the international scene.

### **Intercontinental Slavery Museum**

318. In recognition of the contribution of peoples of African descent and to promote respect for African peoples, the Intercontinental Slavery Museum was officially launched on 1 September 2023.

### **Scientific progress**

319. Government is committed to the digital transformation agenda of Mauritius and provides broadband and ICT facilities to all. The ICT Development Index (IDI) 2023 saw Mauritius emerging with an IDI score of 81.7 out of 100 among 169 economies across the world.

320. The Government of Mauritius (through the Ministry of Information Technology, Communication and Technology (MITCI) and its parastatal institutions) implemented a number of projects which are:

(a) Subsidized Internet Plans: The Government has in collaboration with internet service providers (ISPs) offered discounted or subsidised internet plans for low-income households under the SRM;

(b) Data Cap Policies: The Governments has negotiated with ISPs to ensure that low-cost plans provide sufficient data for essential online activities without overage charges for social media access (as service by Mauritius Telecom) ;

(c) Community Empowerment Programme: Around 560 sites free Wi-Fi Zones are available in public areas across Mauritius;

(d) Introduction of ICT as a subject at primary level: ICT as a subject was introduced in the school curriculum in line with the NYCBE programme.

321. Mauritius is connected to three submarine cables, the SAFE (South Africa Far East), the LION/LION2 (Lower Indian Ocean Network) and the METISS (Melting pot Indian Oceanic Submarine System). The fourth submarine cable, the T3 cable, has already landed in Baie du Jacotet Cable Landing Station in 2023. Further, the MARS submarine cable connecting Rodrigues to Mauritius was inaugurated in 2019 and is operational.

322. A free Wi-Fi Zone project was launched in Rodrigues on 29 June 2023. the population in Rodrigues now access free Internet in 23 Wi-Fi Zones over the island to stay connected and take advantage of online facilities.

323. Between 2021 and 2022, the number of internet subscriptions increased by 6.2% from 1,811,700 to 1,924,300 due to an of increases of 7.2% in mobile internet subscriptions (from



1,482,700 to 1,590,000) and 1.6% in fixed internet subscriptions (from 329,000 to 334,300). In 2022, Broadband Internet subscriptions which constituted 96.6% of total Internet subscriptions, increased by 6.8% to reach 1,858,900 compared to 1,740,600 in 2021.

324. Broadband Internet subscriptions based on mobile access, accounting for 82% of total Broadband Internet subscriptions network in 2022, reached 1,524,600 showing a growth of 8.0% over the figure of 1,411,700 in 2021. Those based on fixed (including wireless) network increased by 1.6% from 328,900 in 2021 to 334,300 in 2022.

325. In addition, the Mauritius Digital Promotion Agency (MDPA) operating under the MITCI has put in place various training initiatives in order to equip the citizens of Mauritius with the required digital skills. Such programs target different segments such as the Unemployed Adults, Housewives, Senior Citizens, SMEs, Employees, Entrepreneurs, Secondary Students and the public at large. The training courses include the Digital Proficiency Course Digital Learning Training and the Basic ICT Skills course among others.

326. It is worth noting that the main objective of the DPC which is an innovative nationwide ICT training is to enable the citizens to become digitally proficient and be empowered with latest digital skills in a bid to embrace the digital transformation and tap the most of the 21st century technologies. The MDPA plan to have various levels of Digital Proficiency course in the near future, together with digital entrepreneurship programmes for startups and entrepreneurs.

327. The First Mauritian Satellite, MIR-SAT1 was deployed from the International Space Station (ISS) on the 22nd June 2021 and was equipped with an experimental Island to Island communication. The satellite was controlled by Mauritian Aerospace Engineers in Mauritius where a state of the art Ground Station was setup at the Mauritius Research and Innovation Council. MIR-SAT1 re-entered the Earth's atmosphere on the 19th April 2022. Many radio amateurs worldwide have successfully used the digipeater for 2-way communications. The MIR-SAT1 mission was a success on all fronts.

## Conclusion

328. Mauritius remains strongly committed to the promotion and protection of human rights, including economic, social and cultural rights. Mauritius is set to pursue its journey on improving the national human rights framework and to engage with the international community so as to consolidate this framework.