



Embassy of the Republic of Mauritius

MEW/GEN/12/2010

The Embassy of the Republic of Mauritius presents its compliments to the United States Department of State and with reference to the United States Department of Labor's TDA Report on Mauritius on the *2014 Findings on the Worst Forms of Child Labor*, has the honour to forward the official views of the Mauritian authorities.

The Embassy would be highly appreciate it if the attached views could be kindly conveyed to the relevant US departments for consideration at their end.

The Embassy of the Republic of Mauritius avails itself of this opportunity to renew to the United States Department of State the assurances of its highest consideration.



Washington, D.C., 04 January 2016

United States Department of State
Washington, DC

International Instruments

Convention on the Rights of the Child

Mauritius adhered to the Convention on the Rights of the Child (CRC) in 1990. It ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in February 2009 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in June 2011. The Optional Protocol to the Convention on the Rights of the Child on Communications Procedures was signed in August 2012.

The Combined Report was examined by the UN Committee on the Rights of the Child at its 68th Session held on 14 – 15 January 2015 in Geneva. The Committee on the Rights of the Child in its Concluding Observations, welcomed the efforts and initiatives taken by Mauritius to implement international standards relating to children's rights.

Legislations

The Child Protection Act 1994

The Child Protection Act (CPA) came into force on 4 April 1995. Its aim is “to make better provision for the protection of children”. It provides for measures such as emergency protection orders where it is believed that a child is suffering or likely to suffer significant harm, or committal orders to a place of safety for cases of children who are ill-treated, neglected, abandoned, destitute, or otherwise exposed to harm.

The Child Protection Act also provides for offences such as ill treatment of children or causing children to be sexually abused, to have access to brothels or to engage in prostitution.

The Child Protection Act 1994 was amended in December 2005 to make provision for all cases of child trafficking, abandonment and abduction to be dealt with by Officers of this Ministry who are responsible for child welfare and development. Tougher penalties have also been provided for in case of contravention of the provisions of the law. Penalties under the present Child Protection Act for sexual offences and indecent photographs of children have been revised from a fine of Rs 50,000 and imprisonment not exceeding 5 years to Rs 75, 000 and 8 years

respectively. As for cases of mentally handicapped victims, offenders are liable to a fine of Rs 100, 000 and imprisonment not exceeding 15 years instead of Rs 75,000 and 8 years respectively.

The Child Protection (Amendment) Act 2008 provides for the setting up of the Child Mentoring Scheme with the concept of a “child mentor”. A Child Mentoring Committee makes provisions for the issue of mentoring orders by the Court.

A Children’s Bill which will incorporate the spirit of the Convention on the Rights of the Child (CRC), include all of the main principles and obligations, and will bring together the different pieces of legislation dealing with children under one single legislation, is under preparation.

Measures taken

Within the Ministry of Gender Equality, Child Development and Family Welfare, the Child Development Unit (CDU) works towards safeguarding all the rights of children. All policies, programmes and projects which the Ministry implements in respect to children are in accordance with the Convention on the Rights of the Child and other International Instruments to which Mauritius is signatory. The axes of intervention are along, preventive, curative, rehabilitative and re-insertative services and operate at national, regional and local level from a top down and bottom up approach.

The main objective of the Child Development Unit is to ensure the best interests of all Mauritian children through the enforcement of the Child Protection Act 1994 and its attendant regulations. The Ministry is mandated by law to report to the various District Courts any case of suspected ill-treatment, abandonment, neglect, destitution, abuse, sexual exploitation including Trafficking in Persons (Child) and any other form of harm on children and to request for appropriate protection orders, follow up activities and prosecution as appropriate. A 24-hour service is offered through Hotline 113 where the public can report, anonymously or non-anonymously, cases of children at risk. On receipt of such cases, officers of this Ministry intervene promptly and take actions accordingly.

The CDU operates through a network of 6 Outstations since 1996 to ensure enforcement of the Child Protection Act. It therefore provides immediate assistance and follow up, as appropriate; and protection to children, victims of abuse, especially sexual abuse through:

- emergency Protective Services to children victims of all forms of violence (physical, emotional, psychological, sexual & neglect);
- hotlines for Emergency Intervention for Reporting of Cases or Anonymous Reporting and Counselling;
- follow up of cases;
- child Mendicity Cases; and
- reporting on Cases to the Ombudsperson's Office

The Community Child Protection Programme

The Community Child Protection Programme was launched in August 2007 and is currently being implemented in the nine districts of the Republic. The 2 major components of the CCP are:

- I) Community Child Watch Committees; and
- II) District Child Protection Programme.

This programme allows for proximity surveillance mechanism and service and acts as a forum set up at district level as well as at grass root level to ensure national awareness with respect to Child Protection issues.

Sensitization campaigns

Ongoing campaigns in respect of CSEC, the dangers begetting our children by prostitution network as well as the ill effects of child prostitution are carried out by this Ministry at the level of schools in School Child Protection Children's Clubs and in deprived areas through "Ecole des Parents".

From February 2015 to September 2015, 426 persons have been sensitized on child prostitution in schools and in Social Welfare Centres by officers of the Child Development Unit and Psychologist of the Drop-in-Centre.

For the year 2015, around 1952 students were reached at primary and secondary schools and Children's Clubs.

Commercial Sexual Exploitation of Children (CSEC)

This Ministry is also mandated to cater for the needs of children who are victims of Commercial Sexual Exploitation. Specialized services are being provided to these

victims in a Drop-in-Centre which has been set up, since December 2003, to cater for the rehabilitative needs of children victims of CSEC and sexual abuse. The Centre is being run and managed by the Mauritius Family Planning and Welfare Association (MFPWA) and is being monitored by the Child Development Unit.

In line with recommendations made by the United Nations Committee on the Rights of the Child at its 41st Session held in January 2006 to strengthen policies and programmes for the prevention, recovery, rehabilitation and reintegration of children victims of Commercial and Sexual Exploitation, Government has set up a Residential Care/Drop-in Centre for Children Victims of Commercial and Sexual Exploitation (CSEC) at Grand River North West which will be made operational soon.

From January 2015 to September 2015, 20 cases of CSEC including child prostitution have been reported at the Child Development Unit (CDU).

Residential Care Institutions for children / Shelters

It is the policy of the Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW) to intervene whenever cases of vulnerable children are reported. Support services are provided to these children who are followed by the Child Protection Team at the level of their families. In cases where a child is deemed to be in immediate danger and is exposed to harm, arrangements are made through the issue of an Emergency Protection Order to have the child accommodated in a “place of safety” as per the Child Protection Act.

There are currently 21 Residential Care Institutions/Shelters for children, out of which 5 shelters are operating under the aegis of the Ministry of Gender Equality, Child Development and Family Welfare. These children who are placed in Residential Care Institutions/Shelters under Court Orders are provided with psychosocial rehabilitative services. Presently, the Ministry is paying a capitation grant of Rs 378.27 per child for those children placed in Residential Care Institutions which are managed by other stakeholders. Presently, there are 567 children in the shelters.

Crackdown operations inclusive of raidings:

Brigade pour la Protection des Mineurs (BPM)

As children are becoming more and more vulnerable in our society, the Mauritius Police Department has at the request of the Ministry of Gender Equality, Child Development and Family Welfare, set up an unit styled “Brigade pour la Protection des Mineurs” as from May 2004. One of the priorities of the Brigade is to act as a watchdog against all forms of exploitation and abuse against children. The Brigade is providing a meaningful and sound customer care service aimed at optimizing the protection of children and helping to alleviate the anxiety of parents whose children have been subjected to such abuses. The “Brigade pour la Protection des Mineurs” works in collaboration with the Ministry of Gender Equality, Child Development and Family Welfare on the protection of the child from all forms of abuse including Commercial Sexual Exploitation of Children.

There is close networking and collaborative efforts with the Brigade Pour la Protection des Mineurs and other stakeholders relevant to the matter to assist in the identification of victims through crack down operations inclusive of raidings at bus terminals, guest houses, hotels to ensure that children, especially students do not loiter and end up in compromising behaviors which eventually get them lured and groomed into prostitution and child trafficking.

Hotline service at the level of Police

The hotline 999 is also available at the level of the Police to provide emergency support services to any reported case of child prostitution and trafficking.

The Police personnel are trained in child protection issues inclusive of child prostitution and trafficking.