

**COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN  
36<sup>TH</sup> SESSION (NEW YORK, 7 TO 25 AUGUST 2006)**

**MAURITIUS (3<sup>RD</sup>, 4<sup>TH</sup> AND 5<sup>TH</sup> COMBINED PERIODIC REPORT)**

Information submitted to the Committee

The Mauritian delegation<sup>1</sup> was headed by Honourable Indira Seebun, Minister of Women's Rights, Child Development, Family Welfare and Consumer Protection (MWCDFW), and included an ambassador, other members of the Mauritian Permanent Mission to the United Nations and Government officials.

On 11 August 2006, Mauritius submitted its combined 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> periodic reports<sup>2</sup> under the *Convention on the Elimination of All Forms of Discrimination against Women* (the Convention) along with written responses<sup>3</sup> to the Committee on the Elimination of Discrimination against Women's (the Committee) list of issues and questions.<sup>4</sup>

The combined report, covering the period from 1993 to 2003, was prepared by the MWCDFW in consultations with other ministries, labour unions and non-governmental organisations (NGOs). It provides general information on the current situation in Mauritius and outlines progress achieved on each article of the Convention. The economic situation in Mauritius has been dire, mainly due to the negative impact of globalisation and trade liberalisation. The sugar and textile sectors, employing large numbers of women, have been hit the hardest. The State Party therefore launched several initiatives to help women fight poverty and find employment. Governmental agencies like the MWCDFW and the National Women Council assisted in promoting women's rights, notably through education campaigns informing the population about the Convention.

In the responses to the Committee's list of issues and questions, the State Party clarified the legal status of the Convention and listed the ministries responsible for advancing women's rights. It also related efforts undertaken in areas of concerns, such as violence against women, prostitution, access to health services and employment opportunities. The State Party reported that no legal cases have yet directly invoked the Convention despite the fact that several provisions of the Convention are implemented in domestic legislation. To combat violence against women, the State Party passed *the Sex Discrimination Act* (2002), which deals with abuses and violations of women's rights and provides for police and government officials training.

Mauritius ratified the Convention on 9 July 1984 with a reservation stating that it does not consider itself bound by paragraph 1 of article 29.<sup>5</sup> The Parliament has initiated procedures to ratify the Optional Protocol to the Convention.

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<sup>1</sup> For full list of the delegation see [http://www.un.org/womenwatch/daw/cedaw/cedaw36/delegation\\_mauritius.pdf](http://www.un.org/womenwatch/daw/cedaw/cedaw36/delegation_mauritius.pdf).

<sup>2</sup> <http://daccessdds.un.org/doc/UNDOC/GEN/N05/215/51/PDF/N0521551.pdf?OpenElement>.

<sup>3</sup> <http://daccessdds.un.org/doc/UNDOC/GEN/N06/372/26/PDF/N0637226.pdf?OpenElement>.

<sup>4</sup> <http://daccessdds.un.org/doc/UNDOC/GEN/N06/250/36/PDF/N0625036.pdf?OpenElement>.

<sup>5</sup> Article 29 states that disputes on the interpretation or application of the Convention between State parties should be resolved through negotiations and if the negotiations fail, the case should be submitted to arbitration. If the arbitration fails, the case, at the request of a party, can be referred to the International Court of Justice. For full text see: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>.

## Themes and Issues<sup>6</sup>

### **Prostitution**

The Committee was shocked that children as young as twelve years old were sexually exploited for commercial purposes and probed the delegation on its efforts to combat child prostitution. The delegation indicated that the Government had introduced the *Tourism Act of 2004*, preventing unlawful use of tourism licenses for activities such as sex tourism and child prostitution, and the *Child Protection Act of 1995*, which aims to protect children from sexual exploitation. The Government also established a centre for victims of abuse and sexual exploitation. Acknowledging that poverty is one of the major causes of prostitution, the Government introduced various measures to improve women's access to education and micro-credits, as well as programmes providing women with the necessary skills to increase their employment opportunities. The Committee called on the State Party to ratify the *Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*.

### **Personal and Civil Law**

Muslims form a large minority in Mauritius. In order to resolve differences between Mauritian civil law and the customs of the Muslim population, the State Party allowed marriage and family matters among Muslims to be administered under personal laws instead of the country's civil law. The Committee argued that this arrangement poses a serious challenge to the implementation of the Convention and Committee Members raised questions about women's rights and equality under these personal laws. According to the State Party, marriage under civil law provides women with the rights outlined in the Convention. Only women who express a wish to be married under religious personal law may lack the rights and protection of the Convention.

### **Violence against Women**

Women continue to be victims of violence. Under *the Amendment against the Domestic Violence Act*, husbands and other males can be prosecuted for acts of violence committed against women. The State Party also established shelters for battered women and provides counselling services. The Committee noted that in spite of all these efforts, women continue to be abused and asked the State Party to clarify its awareness-raising programmes on this subject. The delegation informed the Committee that the Government had initiated a campaign entitled 'Men as partners', educating the population about health issues, family welfare and women's rights. However, progress has been hindered by the strong persistence of patriarchal attitudes towards women.

### **Education and Employment**

Under articles 10 and 11 of the Convention, the State Party is to undertake measures to eradicate discrimination in education and employment and ensure that women enjoy the same opportunities as

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<sup>6</sup> For summary records of the meeting see <http://daccessdds.un.org/doc/UNDOC/GEN/N06/462/87/PDF/N0646287.pdf?OpenElement> and <http://daccessdds.un.org/doc/UNDOC/GEN/N06/462/99/PDF/N0646299.pdf?OpenElement>.

men in this regard. According to the report, girls' school attendance is higher than boys at all levels of education. However, girls continue to choose education in traditional subjects, avoiding sciences and other technical subjects. The State Party stated that it has launched an initiative to encourage girls to pursue a broader range of subjects and has also approved new schoolbooks that do not include gender stereotypes and harmful attitudes towards women and girls.

According to the State Party, globalisation and free trade harmed the Mauritius economy, in particular sectors where many women are employed. To combat unemployment and poverty, the State Party provided vocational training and facilitated access to loans for women who want to set up their own business. The Committee recommended that the State Party strengthen its efforts to promote equal employment opportunities and reduce the wage gap between the sexes.

## Conclusions and next steps

The Committee thanked the State Party for its report and written responses and the frank discussion on issues of concerns. It commended the State Party on the passage of various legislations, such as the *Sex Discrimination Act* and the *Education Bill*, aimed at protecting women and safeguarding their rights. Despite progress, the Committee remained concerned about the Convention's partial implementation in domestic law and the lack of cases tried as violations of the rights specified in the Convention. The Committee also raised the issue of personal laws several times, citing the lack of protection for Muslim women under personal laws as a serious concern.

In the debate and its Concluding Comments,<sup>7</sup> the Committee highlighted its particular concern with sexual exploitation, an issue that was also addressed by the Committee on the Rights of Child during its examination of Mauritius's State Party report in March 2006. Both Committees urged Mauritius to strengthen its fight against prostitution by educating the police, judicial bodies and other governmental officials and providing proper treatment and facilities to victims. The Committee also urged Mauritius to disseminate information on reproductive rights and health care and allocate more resources to agencies responsible for the protection of women's and children's rights.

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<sup>7</sup> <http://daccessdds.un.org/doc/UNDOC/GEN/N06/482/39/PDF/N0648239.pdf?OpenElement>.