



Convention on the Rights of the Child

Distr.: General
28 October 2013

Original: English

Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Combined third to fifth periodic reports of States
parties due in 2011

Mauritius*

[5 September 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been formally edited.

Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–2	4
I. Areas of concern raised in the Committee’s concluding observations on the second periodic report (CRC/C/MUS/CO/2), and actions taken	3–132	4
II. General measures of implementation (arts. 4, 42 and 44)	133–273	24
Article 4	141–242	25
Article 42	243–252	38
Article 44	253–273	40
III. Definition of the child	274–286	43
IV. General principles (arts. 2, 3, 6 and 12)	287–320	45
Article 2	287–292	45
Article 3	293–298	46
Article 6	299–304	46
Article 12	305–320	47
V. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a)).....	321–362	49
Article 7	321–322	49
Articles 13-15	323–326	50
Articles 17	327–361	50
Article 37	362	56
VI. Family environment and alternative care (arts. 5, 9-11, 18, paras. 1 and 2, 19-21, 25, 27, para. 4, 34 and 39)	363–390	57
Article 5.....	366–370	58
Article 19.....	371–382	59
Article 20.....	383–384	64
Article 21.....	385–387	64
Article 25.....	388–389	65
Article 34.....	390	66
VII. Basic health and welfare (arts. 6, 18, para. 3, 23, 24, 26 and 27, paras. 1-3)	391–468	66
Article 24.....	401–451	67
Article 27.....	452–464	74
Articles 26 and 18, para. 3	465–467	76
Data relating to basic health and welfare	468	77
VIII. Education, leisure and cultural activities (arts. 28, 29 and 31).....	469–515	82
Article 28.....	470–485	82
Article 29	486–506	85

	Article 31	507–514	88
	Data relating to education, leisure and cultural activities	515	89
IX.	Special protection measures (Arts. 22, 30, 32-36, 37 (b)-(d), 38-40).....	516–565	94
	Article 32.....	516–531	94
	Article 39.....	532–540	96
	Article 40.....	541–547	98
	Article 37 (b)-(d).....	548–552	99
	Article 34	553–561	99
	Article 35	562–565	101
X.	Optional Protocols to the Convention on the Rights of the Child	566	101

Introduction

1. This document constitutes the Combined Third, Fourth and Fifth Reports submitted by the Republic of Mauritius as a State Party to the Convention on the Rights of the Child, in accordance with Article 44, paragraph 1 (a), of the Convention. It covers the period from 2006 to 2010. The report provides details of the legislative and policy measures taken by the State party to implement the provisions of the Convention on the Rights of the Child, with due regard to the local context, the existing legislative framework and the financial and human resources constraints which Mauritius, as a rapidly developing, densely populated country, is facing. The cooperation of NGOs and the civil society in general, without which the provisions of the Convention cannot be fully implemented, is also acknowledged in the report.

2. The report also indicates forthcoming actions to be undertaken both by the Government and NGOs.

I. Areas of concern raised in the Committee's concluding observations on the second periodic report (CRC/C/MUS/CO/2), and actions taken

3. The issues identified as principal subjects of concern by the Committee on the Rights of the Child in its concluding observations on Mauritius' Second Periodic Report and the actions taken thereto are addressed hereunder.

4. The main areas of concern in the Concluding Observations are set out in this section. In each case, the Committee's recommendations are reproduced, followed by information on action taken.

Paragraph 7 of the Committee's concluding observations (CRC/C/MUS/C/2)

The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial report that have not yet been implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations on the next periodic report.

5. Necessary measures have been taken to address the recommendations from the concluding observations of the initial report, which are more fully described later in the present report.

Paragraph 9 of the Committee's concluding observations

The Committee reiterates its previous recommendation that the State Party undertake all the necessary measures to withdraw its reservation to Article 22 of the Convention, in accordance with the Vienna Declaration and Plan of Action of 1993.

6. Mauritius withdrew its reservation to Article 22 of the Convention on 4 June 2008.

Paragraph 11 of the Committee's concluding observations

The Committee recommends that the State Party strengthen its efforts to continue reviewing its legislation with the aim of ensuring full compliance with the principles and provisions of the Convention. Furthermore, the Committee encourages the State Party to consider enacting a comprehensive Children's Act to consolidate the various pieces of legislation covering all aspects of child rights.

7. The Ministry of Gender Equality, Child Development and Family Welfare along with the Attorney General's Office, are working together on a comprehensive Children's Bill. A series of workshops on thematic issues are being organized as part of the consultation process, where all relevant stakeholders are being requested to provide their inputs and proposals for the Consolidated Children's Bill. Five workshops have already been held, and five more are planned.

Paragraph 13 of the Committee's concluding observations

The Committee recommends that the State Party further strengthen the coordination between the various bodies and institutions at all levels and pay particular attention to the various regions of the State Party.

8. Under the concept "Working Together", a high-power committee, under the chairpersonship of the Permanent Secretary of the Ministry of Gender Equality, Child Development and Family Welfare and comprising other stakeholders dealing with issues relating to the protection, development and welfare of children has been set up. The main objective of this Committee is to look into avenues of collaboration between all parties concerned to ensure rapid intervention in cases involving children. It is also a forum whereby the roles and responsibilities of each party are established with a view to give effect to collective and coherent actions in dealing with such cases. Stakeholders include the Prime Minister's Office, the Ministry of Social Integration and Economic Empowerment, the Ministry of Finance and Economic Development, the Ministry of Education and Human Resources, the Ministry of Youth and Sports, the Ministry of Social Security, National Solidarity and Reform Institution, the Ministry of Health and Quality of Life, the Attorney General's Office, the Ombudsperson for Children's Office, the Police Department, and the National Children's Council.

9. The National Parental Empowerment Programme which was set up by the Ministry of Gender Equality, Child Development and Family Welfare on 30 May 2007 provides guidance to parents in all regions regarding protection of children against all forms of abuse.

10. A Community Child Protection Programme (CCPP) was launched in August 2007. The CCPP provides for the development of a formal mechanism to be set up in each district for grassroots and local level participation in community development, especially in respect of child protection and welfare.

11. The National Children's Council ensures coordination of workshops and training sessions for teachers, resource persons working with children in Children's Clubs, Pre-Primary Schools and other groups like Scout Associations.

Paragraph 15 of the Committee's concluding observations

The Committee recommends that the State Party implement a comprehensive National Plan of Action (NPA), covering all areas of the Convention and incorporating the objectives and goals of "A world fit for children", the outcome document of the special session of the General Assembly on children in 2002. In this regard the Committee recommends that the State Party involve the Ombudsperson for the Children's Office and civil society in the revision and implementation of this NPA.

12. The National Children's Policy/National Plan of Action 2003-2015, based on UNGASS, is being implemented by all stakeholders as well as the OCO. The Ministry of Gender Equality, Child Development and Family Welfare is carrying out a mid-term review of the implementation of the National Children's Policy/National Plan of Action, with a

view to assessing progress achieved or identify any bottlenecks. The OCO as well as civil society will be involved in the exercise.

Paragraph 17 of the Committee's concluding observations

The Committee recommends that the State party ensure that adequate human and financial resources be allocated to the Ombudsperson for Children's Office. The Committee also recommends that the State party strengthen the OCO by allowing it to recruit qualified and trained staff. It further recommends that the OCO be systematically included in the review of any laws and policies pertaining to children.

13. The annual budget allocated to the OCO makes provision for meeting its human resource requirements. Consultations are held with OCO on legislations and policies relating to children, for example, in the preparation of the Children's Bill, the Child Mentoring Scheme and the 16 Days–16 Rights programme.

Paragraph 19 of the Committee's concluding observations

With the view to strengthening its implementation of Article 4 of the Convention and in light of Articles 2, 3 and 6, the Committee recommends that the State Party prioritize budgetary allocations paying special attention to regional disparities in order to ensure the implementation of the rights of children to the maximum extent of available resources.

14. The State Party pays special attention to regional disparities, especially those that result from geographical considerations. It is the policy of the State Party to give all rights and privileges to every Mauritian citizen, whether he or she lives on mainland Mauritius, in Rodrigues, Agalega or other outer islands.

15. Sectoral ministries run special services to ensure that implementation of the rights of the child are not affected by geographical distance.

16. The Ministry of Education and Human Resources runs two primary schools in Agalega and provides for staff salaries, plus disturbance allowances, additional leave entitlement and other benefits to encourage them to work away from mainland Mauritius. An Enhancement Programme has been launched for reinforcing the knowledge and competencies of pupils through a diversity of extra-curricular activities. The pupils are provided with free textbooks and also a free meal under the Primary School Supplementary Feeding Project.

17. In Rodrigues, all children in the *Zone Education Prioritaire* (ZEP) School benefit from a balanced meal each day in addition to the School Feeding Project from which all pupils attending the other 13 primary schools benefit. The aim is to combat absenteeism, especially among pupils from low income families.

Paragraph 21 of the Committee's concluding observations

The Committee recommends that the State Party strengthen its system of data collection and indicators which cover the provisions of the Convention, disaggregated by sex, age and region and with specific emphasis on those who are particularly vulnerable, including children living in poverty and children with disabilities. It further encourages the State Party to use these indicators and data in the formulation of laws, policies and programmes for the effective implementation of the Convention.

18. The Child Development Unit, through its outstations, also known as Child Protection Units, collects all data pertaining to child violence from a gender based

perspective. All its data are disaggregated by sex, age and region. These data have been the basis for the formulation of the following projects:

- Child Mentoring Program for Children displaying mild behavioural problems;
- Community Child Protection Programme to respond to the need for specific home grown child programmes to be owned by the different communities;
- Community child watch committees to act as surveillance mechanisms to deter child violence cases in high risks areas;
- School Child Protection policy through School Child Protection Clubs to empower children with respect to recognizing, handling disclosure and reporting of child violence cases in regard of peers and their own persons. This project also portends to throughout its on-going activities to empower children to develop a violence free environment conducive for their overall development (e.g. school premises free from bullying and gang violence);
- National Parental Empowerment Program, basically developed to assist parents in their child-rearing responsibilities, provides for the setting up of *Ecoles des Parents*, as a priority endeavour in high risks areas and island-wide in the long run, to empower parents with responsible parenting in terms of knowledge, skills and attitudes to be developed towards sustaining the bests interests of children.

19. The yearly and quarterly statistics also inform the themes to be adopted for the celebration of international days such as the Universal children's day, the international day of the African child and the 16 days–16 rights Campaign celebrated every year from 1 to 16 June. This year's 16 days–16 rights Campaign focused on Child Abandonment and the need for responsible parenting. With respect to ongoing work initiated in June 2010 where focus was made on the need for children to be seen and heard, this year's theme also included children's rights to Participation and saw the Launching of the National Children's Committee in a grand manner under the National Children's Council Act which has been set up to provide children with a specific forum for their voices and opinions in decision-making processes.

20. The Central Statistics Office through the Statistics Unit of the Ministry of Gender Equality, Child Development and Family Welfare has already started an inventory of all statistics on women and children available at the Ministry. This inventory will be used in connection with the forthcoming project of the Ministry entitled "Harmonisation of System of Data Collection on Women and Children in Mauritius".

Paragraph 23 of the Committee's concluding observations

The Committee recommends that the State Party strengthen and systematize its human rights training programmes, including the principles and provisions of the Convention, for all professional groups working with and for children such as judges, lawyers, law enforcement officials, traditional and religious leaders, personnel working in institutions and places of detention for children, teachers, health personnel and social workers. In this regard, particular attention should be paid to Rodrigues and Agalega.

21. Members of the judiciary as well as officers of the Attorney General's Office and the Office of the Director of Public Prosecutions have the opportunity during the course of their duties to attend conferences, workshops and seminars on human rights. In 2008, a judicial seminar on human rights was organized jointly by the Judiciary and the Attorney General's Office with the assistance of the United Nations Development Programme (UNDP) whereby participants were sensitized on the provisions of various United Nations

and international human rights instruments as well as on regional instruments such as the African Charter on Human and Peoples' Rights. In the Government Programme 2010-2015, Government has announced its intention to review the institutional set up for the training of judges, magistrates and law officers. It intends to set up a fully-fledged institute to provide for the continuous training of judges, magistrates and law officers.

22. The personnel of the Police Family Protection Unit (PFPU) and the *Brigade pour la Protection des Mineurs* have had specialised training on the needs of child victims of abuse; provision of special care and support to child victims; dealing with perpetrators. The Police Training School and PFPU are conducting training courses for Police Officers on child abuse

23. The Child Development Unit of the Ministry of Gender Equality, Child Development and Family Welfare has a communication strategy targeting, inter alia, professionals and community workers. IEC campaigns are organised on a regular basis with all the professional groups.

Paragraph 25 of the Committee's concluding observations

The Committee reiterates the State Party's primary obligation with regard to the implementation of the Convention and recommends that the State Party continue its efforts to strengthen cooperation with NGOs and to involve them systematically at all stages in the implementation of the Convention as well as in policy formulation. The Committee recommends that the State Party provide NGOs with adequate financial and other resources to enable them to discharge governmental responsibilities and duties with regard to the implementation of the Convention. The Committee refers the State Party to its recommendations arising from the day of general discussion held in 2002 on the theme "The private sector as service providers and its role in implementing child rights" (CRC/C/121, para. 630).

24. There is close collaboration between the National Children's Council and NGOs working with children. Activities promoting the development of children and participation of children are organised on a regular basis. Children's Clubs, "Child To Child" Clubs across the island and operating in different region participate fully in activities organised by the National Children's Council, creating an enabling environment by giving children and adolescents, opportunities to express their opinions.

25. The Women and Children's Solidarity Programme has been created under the vote of the Prime Minister's Office for Financial Year 2007/2008 with a view to helping NGOs that are deeply committed to helping women and children, victims of abuse and violence. It caters for the need for more specialised spaces as well as informed services in this area. The project ceiling was increased from Rs. 25 million to Rs. 50 million in the budget 2008-2009.

26. In 2011, the Women and Children's Solidarity Programme at the Prime Minister's Office and the Special Collaborative Programme for Support to Women and Children in Distress operating under the Ministry of Gender Equality, Child Development and Family Welfare have been merged. A sum of Rs. 40 million has been allocated for the year 2011. Funds earmarked under the programme would allow NGOs and non-State actors to implement projects aimed at enhancing the livelihood of women and children in distress and create opportunities for their integration in the mainstream of development. Various NGOs dedicated to child's rights actions/activities and/or militating for better livelihoods of children have been given funds in line with their project proposals from these programmes.

Paragraph 27 of the Committee's concluding observations

The Committee recommends that the State Party undertake all necessary measures to eliminate de facto discrimination in full compliance with Article 2 of the Convention.

27. The development of the draft Children's Bill by the Child Development Unit of the Ministry of Gender Equality, Child Development and Family Welfare and the Attorney General's Office is being done through a series of consultative workshops on various themes with different stakeholders, both state and non-State actors. This process is providing the forum to brainstorm and discuss on all necessary measures needed to eliminate de facto discrimination in full compliance with Article 2 of the Convention.

28. Further, legislative provision has been made for providing for equal opportunities and fighting discrimination. (See Section II, General measures of implementation).

Paragraph 28 of the Committee's concluding observations

Specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State Party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa, in 2001, and taking into account of General Comment No. 1 (2001) on the aims of education.

29. There are no reported cases of Xenophobia and Related Intolerance in Mauritius.

Paragraph 30 of the Committee's concluding observations

The Committee recommends that the principle of the best interests of the child enshrined in Article 3 be systematically implemented in judicial and administrative decisions as well as in programmes, projects and services with regard to children in various situations.

30. The courts in Mauritius uphold the rule and policy of the best interests of the child in family matters such as divorce cases, or separation of parents, custody of children, or orders for alimony or for immediate care and control. The courts always ensure that the best interests of the child guide their decisions.

31. Sector ministries also integrate the policy of the best interest of the child in their programmes and projects. For example, the Ministry of Health is implementing a policy whereby all children are seen on a fast track basis in all hospitals. Besides, those who are followed up as in-patients in wards are allowed to be accompanied by their mothers. That is, the mothers stay together with them in wards and meals as well as sleeping facilities are provided to them.

Paragraph 32 of the Committee's concluding observations

In light of Article 12 of the Convention, the Committee recommends that the State party continue and strengthen its actions to promote the rights of the child to express his/her views fully in all matters affecting him/her, including within the school, in the media, the courts, administrative bodies and in society in general.

32. The Ministry of Gender Equality, Child Development and Family Welfare promotes initiatives that uphold the rights of expression of the child in respect of all matters affecting him/her. This right is fully exercised in court proceedings, in schools as well as in the media. There are local newspapers giving access to and having special pages for children.

33. The Child Development Unit with the concurrence of the Ministry of Education and Human Resources has initiated School Child Protection Clubs. Twenty schools, ten primary

and ten secondary have now their protection clubs. Some 500 schools are expected to have their clubs by 2015.

34. In line with the Convention, the National Children's Council allows and encourages children's expression through their participation in decision-making at the level of Children's Clubs, Child To Child Clubs where children members of committee express their views and decide on activities they want to be involved in and children's opinions are taken into consideration and where children help children in a peer to peer counselling and self-help organisations. The NCC also intends to establish a National Children's Committee.

35. Provision is made for all State Secondary Schools to have a Student Council (SC) comprising representatives of different sections of the student community, democratically elected by the students themselves so that each class has a spokesperson. The SC's Terms of Reference include the possibility for students to express their opinions and feelings and share their problems, concerns, wishes and expectations with management and for the rector to take stock of their complaints, grievances or aspirations and to be open to suggestions made by such representatives for the welfare of the students.

Paragraph 34 of the Committee's concluding observations

The Committee encourages the State Party to continue its initiatives to ensure that cases of tardy declarations are dealt with in a more expeditious manner.

36. A fast-track system is in place to ensure that children whose births have not been registered within the prescribed delay are tardily declared. A high level steering committee, co-chaired by the Minister of Gender Equality, Child Development and Family Welfare and the Attorney-General, monitors on a quarterly basis the fast track in place. Thus the Child Development Unit has a section which works in close collaboration with other stakeholders, including, the Attorney General's Office, the Civil Status Office, the Police Department, the Ministry of Health & Quality of Life and the Judiciary to identify, record and process in a professional manner cases of undeclared births and to arrange for their registration within the shortest delay.

37. From August 2005 to December 2010, out of the 869 applications for tardy declaration received, 654 births have been registered while some 215 cases are still outstanding.

Paragraph 36 of the Committee's concluding observations

The Committee recommends that the State Party take all necessary legislative measures to fully protect the right of the child to privacy and to support the initiatives of the Ombudsperson for Children in this domain, including the proposals of drafting a Code of Ethics. In addition, the Committee recommends that the State Party provide trainings on the principles and provisions of the Convention to chief editors and journalists.

38. Mauritius ensures constitutional protection against violation of the individual's right to privacy and has within its body of laws necessary legislative measures (vide the Juvenile Offenders Act and the Independent Broadcasting Authority Act) to fully protect the right of the child, as any other citizen, to privacy.

39. A code of ethics is being developed for the media.

Paragraph 38 of the Committee's concluding observations

The Committee reiterates its previous concluding observations (CRC/C/15/Add.64, para. 31) and urges the State Party to prohibit through legislation and other measures

corporal punishment of children in the family, in schools, in penal institutions and in alternative care settings. The Committee further recommends that the State Party conduct awareness-raising campaigns among adults and children, the promotion of non-violent, positive, participatory methods of child-rearing and education.

40. Necessary measures have been taken to implement existing legislation regarding prohibition of corporal punishment.

41. The Ministry of Education and Human Resources issued a circular letter to all schools in which it is clearly stated that corporal punishment should not be inflicted to children and the perpetrators are liable to legal action under the Child Protection Act. This circular is brought to the attention of teachers at the beginning of every term.

42. NCC works for the promotion of Children's Rights and advises teachers, parents and other adults in society on the importance of child's protection from all sorts of violence including violence abuse. Parents are also sensitized about, and are prosecuted in case of, brutality towards children.

43. Instead of corporal punishment, corrective measures for pupils have been introduced to cope with problems of indiscipline that inevitably crop up in schools.

44. The Pastoral Care Committee Board has been set up in secondary schools.

45. The Child Development Unit has set up well structured *Ecole des Parents* for the community parents and parents with poor parenting capacity.

46. Under current legislation, corporal punishment is expressly prohibited in school settings under the Education Regulations 1957. The question of extending this prohibition and expressly addressing corporal punishment in family settings, penal institutions and alternative care settings will be addressed in the course of consultations for the Children's Bill.

Paragraph 40 of the Committee's concluding observations

The Committee recommends that the State Party formally recognize every other State which has acceded to the same Hague Convention as party to that Convention in order to provide immediate and effective protection for abducted children in accordance with the Hague Convention and with Articles 11 and 3 of the Convention on the Rights of the Child.

47. In 1993, Government signed the Hague Convention on legal aspects of International Child Abduction and in 2000, legislation was enacted to give force of law to the Convention and designed the Ministry of Gender Equality, Child Development and Family Welfare as the Central Authority to deal with cases of Child Abduction. The Second Schedule to the Convention on the Civil Aspects of International Child Abduction Act 2000 was amended in 2006, to include South Africa as a contracting state. Furthermore a similar amendment was made in 2009, to include the following countries as contracting states: Kingdom of Belgium, Mexico, Republic of China, Principality of Monaco, Portugal, Republic of Croatia, Republic of Hungary, Republic of Serbia and Slovak Republic.

Paragraph 42 of the Committee's concluding observations

The Committee recommends that the State Party, in light of the ongoing reforms of the juvenile justice system, ensure full compliance with the principles and provisions of the Convention. The Committee further recommends that the State Party abolish the possibility for parents to place a child in an institution on the basis of an oath before a juvenile court. The Committee also recommends that the State Party provide

families who have difficulties in the upbringing of children with necessary support and counselling services.

48. The Probation Service acts in compliance with the principles and provisions of the Convention.

49. The Community Service Order Act and the Probation of Offenders Act are being amended to cater for minors in conflict with the law and who have to be protected and rehabilitated.

50. The Attorney General's Office is presently working on the Juvenile Offenders (Amendment) draft Bill. One of the objects of the Bill is to provide for mediation between interested parties with a view to exploring diversionary measures as an alternative to prosecute child offenders. It will also provide for the calling of a pre-sentence report from a probation officer by a court before which a juvenile is convicted. Furthermore, this Bill's object is also to make better provisions for dealing with uncontrollable juveniles. Once the draft Bill is ready, it will be circulated among all relevant stakeholders for their comments and proposals, before finalizing same.

51. When a case of "child beyond control" is reported to the police, an in-depth investigation is carried out and it is only as a last resort that the child is taken before the District Court.

52. At the PFPU and *Brigade pour la Protection des Mineurs*, cases of "child beyond control" are treated as a child having behavioural problems. At the very outset they are interviewed as well as their parents and counselled. A social enquiry is carried out in the neighbourhood where the child lives in order to check the veracity of the complaint and to look for any contributory factors on the part of the parents resulting in the present state of the child. If necessary, such children are referred to the Ministry of Gender Equality, Child Development and Family Welfare for psycho-therapy. The child is taken to court only after in-depth investigation is made and if he/she persists with his/her unruly behaviour.

53. Counselling services are being provided to the following target groups: Probationers, community service order workers, parents and public at large.

54. Deprivation of liberty is used as a last resort for child offenders. Most child offenders are released on parole and dispensed with Community Service Orders. In 2009, the Community Service Order (Amendment) Act was adopted and provides for the suspension of a sentence of imprisonment on a minor aged 16 years and above, and makes him the subject of a Community Service Order.

Paragraph 44 of the Committee's concluding observations

The Committee recommends that the State Party adopt a comprehensive mechanism of periodic review of children placed in institutions.

55. Such review is a regular feature for all children removed to a place of safety and placed in institutions. CDU regional offices provide complete update on the children placed by the Ministry in its Shelters for Children in Distress and in other residential institutions for children.

56. Under the "Through Care Programme", Probation Officers act as Liaison Officer between inmates and their families. Case conferences are held on inmates at the Probation Hostel for boys and Probation Home for girls.

Paragraph 46 of the Committee's concluding observations

The Committee recommends that the State Party take legislative measures to ensure that in cases of adoption the decision of the judge is supported by relevant information

regarding both the child and the adopting parents in order to ensure that adoption is in the best interests of the child.

57. In adoption cases, the decision of the judge is supported by relevant information. The Court records contain full information on the child and the adoptive parents to ensure that adoption is in the best interests of the child. Applications for adoption need to be supported by all relevant information. Before deciding on these cases, the Judge refers them to the *Ministère Public*, who enquires into the application and requests for a Social Enquiry Report, providing more in-depth A new Adoption Bill is being prepared in collaboration with the Ministry of Gender Equality, Child Development and Family Welfare and the Attorney General's Office. The new law will regulate all the three types of adoption in Mauritius, that is, adoption of Mauritian children by foreigners, adoption of foreign children by Mauritian nationals and adoption of Mauritian children by Mauritian nationals except intra familial cases.

Paragraph 48 of the Committee's concluding observations

The Committee recommends that the State Party:

- (a) Provide facilities for the care, recovery and reintegration for child victims of violence;**
- (b) Ensure that the child victim's privacy is protected in legal proceedings; and**
- (c) Train parents, teachers, law enforcement officials, care workers, judges, health professionals and children themselves in the identification, reporting and management of cases of violence and abuse, using a multidisciplinary and multisectoral approach.**

58. This recommendation has been fully complied with. Facilities for the care, recovery and reintegration for child victims of violence, have been strengthened. Appropriate programmes, including child protection, emergency protective services, alternative care, prevention of sexual exploitation of children and group therapy through play amongst others, have been set up. Measures taken by the State Party are described more fully at Sections II and VI (Article 19) of the present report. See also paragraph 42 above.

Paragraph 49 of the Committee's concluding observations

In the context of the Secretary-General's ongoing in-depth study on the question of violence against children (A/RES/56/138) and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State Party and its participation in the sub regional consultation for Indian Ocean Island States held in Madagascar from 25 to 27 April 2005 and Regional Consultation for Eastern and Southern Africa held in South Africa from 18 to 20 July 2005. The Committee recommends that the State Party use the outcome of this regional consultation in order to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence, and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.

59. The CDU provides emergency child protection services to children victim of violence or faring in high risk conditions. A hotline to respond to callers, whether anonymous or not, is available on a 24 hour basis to ensure that timely support is provided to victims. The CDU provides psycho-social support and therapy as well as counselling for both child victims and their parents by Child Welfare Officers and Psychologists to bring them back to proper social functioning. A protocol of Assistance with all stakeholders

involved (notably Ministries of Health, Social Security for Social Aid, Education, Attorney General's Office, Police, the Court) is in place to offer the multi-disciplinary services and assistance needed for the taking in charge of child victims of violence.

60. The Ministry of Gender Equality, Child Development and Family Welfare organised a workshop on identification and reporting of child abuse cases for Heads of primary and secondary schools as well as for the presidents of Parents Teachers Associations. Talks, sessions on the Convention are regularly carried out at school levels, Social Welfare Centres & community centres.

61. The privacy of a child victim is given due consideration by the Police. Child witnesses are always under the care of a woman police constable in mufti so as to attract the least publicity.

62. A training session on this issue was provided to Officers of the CDU, the BPM, the Probation Service, Psychologist of the Ministry of Education and Officers of the Ombudsperson for Children's Office by a qualified Social Worker from the UK.

63. The Master and Registrar also ensures that measures are implemented to ensure the protection of a child victim's privacy in legal proceedings.

64. Heads of schools, report on cases of violence and abuse through an effective reporting mechanism, referral and networking system.

65. Ministry of Gender Equality, Child Development and Family Welfare organises training of the health professionals in the management of cases of violence and abuse. There are already a protocol and instructions by Government, to guide health professionals in managing cases of violence and abuse. In hospitals, the children are catered for in a safe environment and in accordance with international norms and standards.

66. The Ministry of Gender Equality, Child Development and Family Welfare has launched the Community Child Protection Programme to encourage community actions in the prevention, reporting and rehabilitation of children victims of abuse and neglect.

67. As per the CRC, the Mauritius Police Force has identified priority areas which will help towards implementing the recommendations made: an Operational Strategy proposes preventive measures to combat child abuse. Besides attending to cases of child abuse reported at Police Stations, police provides regular attention to primary schools, colleges and other public places visited by children. Physical checks are also carried at the level of discotheques, boarding houses and bungalows. A Training Strategy comprises an appropriate training package enabling all Police Officers to deal effectively with cases of child abuse whenever reported.

68. The Mauritius Police Force is working in partnership with other agencies for better follow-up actions such as psychological support and counselling of child victims and perpetrators.

Paragraph 51 of the Committee's concluding observations

The Committee recommends that the State Party, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their fullest possible social integration. The Committee also recommends that the State Party:

(a) Collect adequate statistical data on children with disabilities, allowing for disaggregated analysis of the problems facing such children;

(b) Establish a national system of early detection, referral and intervention; and

(c) Seek further technical assistance and cooperation for the creation of more effective specialized institutions, including day-care centres, and for the training of parents and professional staff working with and for children.

69. The Ministry of Social Security, National Solidarity and Reform Institutions is presently working on a Database on Disability. This Database will make provision for collection of statistics on disabled persons, including children with disabilities.

70. Two Daycare Centres have been set up at Chemin Grenier and Petite Rivière for the participation of Disabled Persons including disabled children in regular informative, educational/training, leisure/recreational activities so as to integrate them fully in society and to promote and value their skills and life experiences.

71. There are 65 NGOs affiliated to the National Council for the Rehabilitation of Disabled Persons (NCRD) which provides a wide range of services to children with disabilities: special education, training in life skills, day-care services, sheltered workshops, leisure and entertainment, sports and cultural activities.

72. Vocational training is provided to children with disabilities by the Training and Employment of Disabled Persons Board.

73. The Ministry of Gender Equality, Child Development and Family Welfare organises regular respite care programmes for children with severe disabilities. The Ministry provides facilities such as refund of bus fare to parents accompanying their children to school whereas transport is free for disabled children. Disabled Children who have passed their end of primary examinations (CPE) benefit from a scholarship scheme.

74. In respect of the promotion of integration of disabled children in mainstream schools, some 190 existing primary schools have been equipped with ramps whereas all new schools and colleges that have been constructed recently are accessible.

75. Promotion of programmes for emerging disabilities like autism and lupus are in place.

76. Special Education Needs Unit has been set up by the Ministry of Education and Human Resources. The mild and moderate children with disabilities are admitted in the mainstream schools. The severe and profound children with disabilities attend special schools and Integrated Units with a view to providing quality care services to the needy.

77. A total of 50 special schools have been set up with a total number of 1,544 pupils: 36 Special Education Needs (SEN) schools, 6 Government Integrated Units and 8 Day Care Centres are registered with the Ministry and benefit from grant in aid. The SEN budget was Rs. 18 million for 2008-2009, Rs. 15 million for July-Dec 2009 and Rs. 31 million for Jan-Dec 2010.

78. Curriculum guidelines and a task analysis for children with intellectual impairment have been launched in 2006. A pupil's profile has been devised and distributed to the SEN schools/Day Care Centre.

79. In Rodrigues, children with disabilities are attending the three existing specialized centres. The Commission for Education provides a per capita grant of Rs. 200 per month to each pupil attending the schools.

Paragraph 53 of the Committee's concluding observations

The Committee recommends that the State party:

- (a) Prioritize the allocations of financial and human resources to the health sector in order to ensure equal access to quality health care by children in all areas of the country;**
- (b) Continue its efforts to improve prenatal care, including training programmes for midwives and traditional birth attendants, and take all necessary measures to reduce infant mortality rates, especially in rural areas;**
- (c) Improve the nutritional status of infants, children and mothers;**
- (d) Ensure access to safe drinking water and sanitation in all areas of the country and particularly in Rodrigues; and**
- (e) Encourage exclusive breastfeeding for at least six months after birth with the addition of an appropriate infant diet thereafter.**

80. Budget allocations and human resources to the health sector have been substantially increased for the whole population, including children, given that health is considered a priority area by Government. New programmes have been put in place, and the monitoring of progress in the health sector has been strengthened. As regards access to safe drinking water and sanitation in all areas of the country and particularly in Rodrigues, Government has invested significantly to improve the situation during the past years. In Rodrigues, the reform of the water sector has been initiated to ensure a better service to the population. The recurrent periods of drought affecting the country is a matter of concern for Government and appropriate measures are being taken to reduce the impact of shortfalls on water availability.

81. The issues raised in the recommendation have been addressed and are more fully described at Section II of the present report, at Part VI.

Paragraph 55 of the Committee's concluding observations

The Committee recommends that the State party, taking into account its General Comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4):

- (a) Strengthen its efforts to ensure access to reproductive health services for all adolescents;**
- (b) Incorporate reproductive health education in the school curriculum;**
- (c) Conduct awareness-raising campaigns among adolescents to inform them about their reproductive health rights and the prevention of STDs, HIV/AIDS, and early pregnancies; and**
- (d) Provide particular support to pregnant teenagers, including through community structures and social security benefits and ensure their completion of education.**

82. The necessary measures have been taken in respect of each of the above. National reproductive health strategy has been formulated and is being implemented. The school curriculum is being strengthened in reproductive health, including HIV/AIDS; awareness creation campaigns have been organized for adolescents to inform them about their reproductive health rights and the prevention of STDs, HIV/AIDS, and early pregnancies. The Ministry of Health and Quality of Life, together with other partners, including NGOs

have ensured that the recommendation has been complied with. This is more fully described at Section II of the present report, at Part VI.

83. The AIDS Unit of the Ministry of Health, carries the following ongoing activities:
- Talks on risk taking and awareness on HIV/AIDS to students of secondary schools;
 - Organisation of forum debates in secondary schools;
 - Sensitisation programmes with out of school youth;
 - Residential workshop with youth clubs and association;
 - Talks on risk taking and awareness on HIV/AIDS with young people in collaboration with Ministry of Youth and Sports;
 - Induction courses for youth officers in collaboration with Ministry Youth and Sports;
 - Power point competition presentation on HIV/AIDS in collaboration with Ministry of Youth and Sports.
84. In 2006 the NCC organised a Training of Trainers workshop in collaboration with the Ministry of Health & Quality of Life & AIDS Secretariat for resource persons working with NCC in order to organise a series of activities to sensitise adolescents. Staffs of NCC were trained together with other participants.
85. Following the workshop, a series of talks were organised for adolescents of Pre-Vocational Schools region-wise. In 2006, a Poster Competition was organised for adolescents on HIV/AIDS.
86. Closer links are being developed with the Ministry of Health & Quality of Life for the Medical School Health Programme.
87. The Standard VI Textbook for Health Education is already in schools as from January 2011. The programme is age-appropriate specific to the age group. Pupils are exposed to the body system and lifestyle, growth, development, puberty and basic HIV and AIDS issues.
88. Sexual education is conducted with inmates of Probation Home and Probation Hostel with the help of professionals. Talks are organised on various social issues including HIV/AIDS.

Paragraph 57 of the Committee's concluding observations

The Committee recommends that the State Party integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies, taking into account its General Comment No. 3 (2003) on HIV/AIDS and the rights of the child (CRC/GC/2003/3).

89. Legislation on HIV and AIDS has been enacted in December 2006: to provide for measures for the control and prevention of the propagation of HIV and AIDS and to protect the rights of individuals including children who are HIV positive or who are infected with AIDS, against all forms of discrimination.
90. Provision has been made for a minor to undergo an HIV test on a voluntary basis without the consent of a legal administrator or guardian. However, a written request for such test is required while ensuring at the same time that he/she understands the nature and implications of the test.
91. The HIV/AIDS prevention programme consist also of the following:

- The implementation of the Prevention of Mother to Child Transmission where the newborn of an HIV infected mother is being protected from contamination during pregnancy;
- Access to Post Exposure Prophylaxis to victims of rape or accidental injuries;
- The right to information on various aspects of HIV and AIDS through the prevention programmes and activities as listed below.

92. In 2006 a sensitisation campaign on Sexual and reproductive health was organised for children members of Children's Clubs and parents region wise (6 regions). 270 children and 88 parents have been reached.

93. The Health and Physical Education Teacher's Guide for primary schools includes information on alcohol, tobacco, drugs and HIV/AIDS. The present curriculum has been reviewed to allow a holistic approach to health in schools. The review has been completed and the teacher's guide is in school as from January 2011.

94. In secondary schools, reproductive health is dealt with in a comprehensive way in the Biology curriculum. All state and private secondary school teaching and Administrative staff has been trained in HIV/AIDS by the National Aids Secretariat.

Paragraph 59 of the Committee's concluding observations

The Committee recommends that the State Party strengthen its efforts to ensure that the needs of all children are met, in particular those from socially disadvantaged families and those living in remote areas, so that they do not live in poverty and their rights to adequate housing, education and health are respected.

95. The Ministry of Gender Equality, Child Development and Family Welfare through the Child Development Unit has organised outreach programmes in deprived regions to empower people to use the services offered by the Ministry of Gender Equality, Child Development and Family Welfare for the support and upliftment of children's conditions.

96. Abandoned women with children and abandoned children are granted social aid, subject to a means test.

97. Health care is accessible to all children, irrespective of their socio-economic condition, their religious belief and their place of residence. There is no distinction in the type and quality of service provided to a child. Children are considered on a fast track basis in all hospitals.

98. Education is free at pre-primary, primary, secondary and tertiary levels at the University of Mauritius for full time undergraduate studies. The Education Act has now been amended to provide compulsory education up to age of 16. Transport to and from schools is also free of charge for all students.

99. In Mauritius, the housing strategy is very much guided by the aim of "*Un Toit pour Toi*" meaning a roof for you, and emphasis is being put to target the economically weak and those socially deprived still further down the line and improve their access to resources. With the overall objective of "*Un Toit pour Toi*", the Ministry Housing has adopted an integrated approach and is providing: (i) land for housing; (ii) on site and off site infrastructure; and (iii) assistance to the lower-income owners. One off cash grant of Rs. 60,000 for slab of 100m² is provided for those with a monthly income of less than Rs. 8,500 Household with a monthly income of less than Rs. 5,000 who owns a plot of land but cannot afford to start construction of a housing unit is granted a maximum of Rs. 45,000.

100. Government sponsored loans are also provided.

101. As regards poverty in general, the Ministry of Social Security has special programmes that assist children living in poor conditions.

Paragraph 61 of the Committee's concluding observations

The Committee recommends that the State party:

(a) Ensure that the proposed reforms secure access to free and compulsory secondary education for all children regardless of their social status and ethnic background;

(b) Develop a policy regarding the use of Creole in the Early Childhood Development (ECD) stage and at primary levels; and

(c) Introduce human rights education, including the principles and provisions of the Convention on the Rights of the Child, in the school curriculum.

102. Necessary measures have been taken in respect of each of the above. Education is free and has been made compulsory up to the age of 16, and this is regardless of the social status and ethnic background of the child. The Constitution of the country is testimony of the policy of government, and this has been so since independence. Creole is being used in the Early Childhood, and is being introduced as a subject in primary schools. The school curriculum comprises of education on values, and human rights education sessions are organized in schools.

Paragraph 63 of the Committee's concluding observations

The Committee recommends that the State Party continue and strengthen its efforts in combating drug abuse by children and in particular to strengthen its awareness campaigns, prevention measures and programmes for recovery and social reintegration.

103. In the year 2006, the National Agency for the Treatment and Rehabilitation of Substance Abuses (NATReSA) in collaboration with the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions and since September 2008, under the aegis of the Ministry of Health & Quality of Life has been engaged in the education of parents, grandparents and other family members in various types of drugs, providing them information on health and socio-economic consequences in the family. Parents have been sensitized on their roles, responsibilities and parenting skills in the prevention of substance abuse by children.

104. Awareness prevention campaigns are continuously organized jointly with the National Women's Council since 2006 to meet the above objectives.

105. No recovery, rehabilitation and re-integration programme has yet been established for children, as the majority of patients are adults. Any case of drug abuse by a child is dealt by Officers at NATReSA or referred to the Ministry of Gender Equality, Child Development and Family Welfare.

106. NATReSA has set up Regional Youth Task Forces. So far, eleven Regional Youth Task Forces have been set up by NATReSA, one in each district, including a Prisons Youth Task Force and a Regional Youth Task Force in Rodrigues. A National Youth Task Force has also been set up thus to assist NATReSA to monitor and follow up the activities of the Regional Youth Task Forces.

107. Rehabilitation programme for the social integration of inmates of Probation Home and Probation Hostel and Probationers is ongoing for minors.

108. Information, Education and Communications Campaigns are carried out to sensitise youths in and out of schools on the ill-effects of drugs and reinforce prevention of abuse. Awareness Sessions on sexual education including Teenage Pregnancy, Sexual Reproductive Rights and Health, HIV/AIDS, Sexually Transmitted Diseases' Drug Abuse have been conducted.

109. Sensitisation campaigns on Drug Abuse and effects were conducted in Children's Clubs region-wise where resource persons from National Children's Council and National Women's Council sensitised children/adolescents on drug abuse and its effects on health and family life environment.

110. The Family Welfare and Protection Unit of the Ministry holds regular awareness campaigns to promote family welfare and reduce the incidence of domestic violence. Psychological, legal and hand counselling as well as temporary shelter are provided to adults and children victims of domestic violence and other forms of abuse with a view to facilitate their rehabilitation and reintegration.

111. The Police Family and Protection Unit and *Brigade pour la Protection des Mineurs* are conducting an awareness campaign in primary and secondary schools and other institutions on the rights of children, violence against children and substance abuse.

112. The Ministry of Education and Human Resource has prepared an information pamphlet on HIV/AIDS which includes references to risk from drugs and intravenous drug use. This is being distributed to all secondary school students as from January 2007. All secondary school students are provided with the pamphlet. The pamphlet will be updated in 2009 for new distribution in 2010.

113. In Rodrigues, a Parents' Empowerment Programme was scheduled for parents and children at village level. The aim is to empower parents and children on child rights and develop tools to prevent behavioural problem leading to child beyond control and teenage pregnancy.

Paragraph 65 of the Committee's concluding observations

In light of Article 34 and other related articles of the Convention, the Committee recommends that the State Party further strengthen the implementation of policies and programmes for the prevention, recovery and reintegration of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congress against Commercial Sexual Exploitation of Children.

114. There is a committee with all relevant stakeholders to follow up on the Commercial Sexual Exploitation of Children (CSEC) situation in Mauritius and review the implementation of the CSEC plan of action at the level of the Child Development Unit of the Ministry of Gender Equality, Child Development and Family Welfare.

115. The Ministry of Gender Equality, Child Development and Family Welfare provides for a drop in centre to cater for the curative and rehabilitative needs of CSEC victims which is functional on a day care basis at Bell village.

116. A residential care to cater for victims of CSEC, who cannot be returned to their family environment, will be operational in July 2011. The Residential Drop-in Centre will have a capacity to accommodate some 32 children, aged between 9 to 18 years, with separate dormitories between different age groups.

117. A *Brigade des Mineurs* at the level of the PFPU and in close collaboration with the Child Development Unit and the National Children's Council, tracks down through raids and crackdown operations, to follow on cases of CSEC and to do preventive work with

children at risk. It carries out sensitization campaigns island-wide to sensitize members of the public, children on child abuse and CSEC, protective behavioural programmes and holds working sessions with school girls to prevent CSEC.

118. Although victims of commercial sexual exploitation are being given treatment, which include first hand counselling, provision of medical facilities, psychological and psychotherapy sessions with the assistance of professionals, there are interruptions in the therapy since victims have to go back to their living environment which, in most cases, exposes them to risks of further exploitation. In line with the recommendations of the 41st session of the Committee on the Rights of the Child in 2006, Government intends to set up a Residential Drop-in-Centre for the development and protection of children from any forms of sexual abuse and exploitation. The residential centre facilities will thus ensure sustainability in the recovery and rehabilitation of victims of sexual abuse and exploitation and enable more efficient services to the victims such as specialized support services, such as individual psychotherapy, group-based therapy, intervention with family members and community, and the reconstruction stage. Training courses will also be dispensed to residents with a view to empowering them for their gradual re-insertion in mainstream society.

119. The NCC organises regular sensitisation campaigns on CSEC in colleges and organisations island-wide to inform children about sexual exploitation and risky behaviours and to encourage children to report cases for intervention and action. A calendar of talks is prepared each year and submitted for approval and authorisation to the Ministry of Education, PSSA and BEC.

120. Cases of child abuse which are reported to Police are dealt with in a professional manner in compliance with the Convention on the Rights of the Child. From the very outset, the Police adopt a rehabilitative approach. A children's corner has been set up to interview child victims of abuse as well as child perpetrators. The Police provide victim support to child victims of abuse, that is, these children are given priority attention and their needs are taken care of. Child victims or perpetrators requiring immediate medical attention are accompanied to hospitals promptly. After taking cognizance of the factors that have led to the abuse, counselling is provided to the child as well as his/her parents. Thereafter, when the child returns to his place, further counselling is provided and follow-up actions through frequent visits are maintained. Minors involved in offences and children beyond control who need to be detained, are kept at the Juvenile Detention Centre found at Petite Rivière. The Juvenile Detention Centre provides a homely environment with trained Police Officers working thereat.

121. A Protocol of Assistance to Victims of Sexual Assault has been established since March 2006 to foster better coordination amongst stakeholders. The Protocol lays down the correct procedures and practices that the police and other agencies have to adopt so as to give prompt attention and assistance to victims of sexual abuse. It also provides for appropriate support services to such victims, especially those who have been subjected to recent and severe abuse.

122. For the period June 2007 to May 2009, the police have established 14 cases of commercial sexual exploitation of children, out of which six, after completion of enquiry, have been sent to the DPP's office for advice for prosecution.

123. The Mauritius Police Force has conducted a series of training courses on CSEC, Child Abuse and Trafficking in Persons for Police Officers working at police stations as well as specialized units like Criminal Investigation Department, Police Prosecutors Unit, Passport and Immigration Office, Anti-Drug Smuggling Unit, among others, with a view to provide them with necessary knowledge, skills and techniques to deal with such cases.

124. Counselling, talks and networking are ongoing. 20 talks on family welfare for parents, women and youths have been organized in Social Welfare Centres in collaboration with NGOs. Parental Empowerment programmes held in collaboration with Early Childhood Care and Education Authority to strengthen parental skills and responsibilities for shelter protection and development of their children and families for 600 parents at Social Welfare Centres.

125. Training regarding the rehabilitation of CSEC victims is an on-going feature. Every year, the CDU conducts three phase training to professionals and carers in the field. Training material and leaflets to inform on the CSEC have also been designed and is available for dissemination.

Paragraph 67 of the Committee's concluding observations

The Committee recommends that the State party ensure the full implementation of juvenile justice standards, in particular Article 37 (b), Article 40 and 39 of the Convention as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and taking into account the recommendations of its day of general discussion on the administration of juvenile justice. In particular, the Committee recommends that the State party:

(a) Establish by law a minimum age of criminal responsibility set at an internationally acceptable level;

(b) Increase availability and accessibility of alternative measures for child offenders using probation services;

(c) Take all necessary measures, in addition to the ones listed in (b), to limit the de facto use of deprivation of liberty, and ensure that it is genuinely used only as a last resort; and

(d) Regularly conduct training programmes concerning relevant international standards for all professionals involved with the system of juvenile justice.

126. It is expected that the upcoming Children's Bill will include provision establishing minimum age of criminal responsibility. Under current legal provisions, if it is determined that an accused person, under the age of 14, acted without discernment, then, he is acquitted. However, he may be handed over to his relatives or placed in a reformatory for a specified period. If it is determined that the accused under age of 14 acted with discernment, then he is liable to imprisonment in a reformatory for such time as may be determined by the judgment.

127. As regards availability and accessibility of alternative measures for child offenders using probation services, the Attorney General's Office is presently working on the Juvenile Offenders (Amendment) draft Bill which will have as objects, amongst others, to provide for mediation between interested parties with a view to exploring diversionary measures as an alternative to prosecute child offenders. There are ongoing rehabilitation programmes for the social integration of inmates of Probation Home and Probation Hostel and Probationers (minors).

128. Deprivation of liberty is used as a last resort for child offenders. Most child offenders are released on parole and dispensed with Community Service Orders. In 2009, the Community Service Order (Amendment) Act was adopted and provides for the suspension of a sentence of imprisonment on a minor aged 16 years and above, and makes him the subject of a Community Service Order.

Paragraph 69 of the Committee's concluding observations

The Committee recommends that the State Party ratify the Optional Protocols to the Convention on the Rights of the Child on the involvement of sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

129. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was ratified by Mauritius on 12 February 2009. Consultations are ongoing with a view to domesticating the provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Government announced that it had no objection to the proposed visit of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography to analyse the actual situation and make recommendations on measures to be adopted so as to enable Mauritius to ratify the Optional Protocol.

Paragraph 70 of the Committee's concluding observations

Take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.

130. A meeting was held whereby all stakeholders were informed of the Concluding Observations and their attention was drawn on the obligations and the need to comply with the recommendations made.

Paragraph 71 of the Committee's concluding observations

The Committee further recommends that the Second Periodic Report and written replies submitted by the State Party and related recommendations (Concluding Observations) it adopted be made widely available in the languages of the country, including through Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

131. All official documents, namely the "Written Replies made by the Government of Mauritius" and the "Concluding Observations" are available at the Ministry's Documentation Centre for consultation by the public including students and researchers as well as on the website, and are thus opened for public consultation.

Paragraph 72 of the Committee's concluding observations

The Committee invites the State party to submit its next periodic report before the due date established under the Convention for the fifth periodic report, i.e. 1 September 2012. This report should combine the third, fourth and fifth Periodic Reports. However, owing to the large number of reports received by the Committee every year and the consequent significant delay between the date of submission of a State party's report and its consideration by the Committee, the Committee invites the State party to submit a consolidated third, fourth and fifth report 18 months before its due date, that is by 1 March 2011. Such a report should not exceed 120 pages (see CRC/C/148). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.

132. The above recommendation is being complied with, except as regards submission of the report before 1 March 2011.

II. General measures of implementation (arts. 4, 42 and 44)

133. Under this cluster, information is provided as per the provisions in paragraphs 5 and 6 of the General Guidelines regarding the form and content of periodic reports to be submitted by State parties under Article 44, paragraph 1 (b), of the Convention, General Comment No. 2 (2002) on the role of independent national human rights institutions and General Comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child.

134. Mauritius is party to the major United Nations instruments, amongst which are the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child. Government endeavours to honour its obligations under those instruments by, inter alia, ensuring that its laws and policies are compliant with those instruments and submitting periodic reports to the respective treaty bodies.

135. Mauritius signed the Convention on the Rights of Persons with Disabilities in September 2007 and is committed to upholding and applying its provisions. Government has come up with a Policy Paper and Plan of Action on Disability which contains a series of measure relating to health, education, training, employment, human rights, sports, leisure, transport, communication and accessibility.

136. Mauritius is also a party to regional human rights instruments, such as the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child, and the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights. Mauritius has signed the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

137. Mauritius is a party to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and has acceded to the Convention on the Civil Aspects of International Child Abduction.

138. Mauritius has acceded to the African Peer Review Mechanism in July 2003 and was among the first countries to start the review process which covers four substantive thematic areas, namely Democracy and Political Governance, Economic Governance and Management, Corporate Governance and Socio-Economic Development. The National Economic and Social Council, an independent body, has been designated as the national focal point to oversee the process in Mauritius. Mauritius has been peer reviewed in 2010.

139. The Law Reform Commission, which is a statutory body, is responsible for keeping under review in a systematic way the laws of Mauritius and making recommendations for their reform and development. The Commission has produced Discussion Papers and Reports on matters such as "The Criminal Justice System and the Constitutional Rights of Accused Parties" and "Access to Justice" for consideration by Government.

Reservations

140. Pursuant to Article 51 (a) of the Convention, Mauritius has withdrawn its reservation to the Article 22 of the Convention on the Rights of the Child on 4 June 2008.

Article 4

141. International treaties ratified by Mauritius are not automatically incorporated directly into the laws of Mauritius. Where necessary, changes are made to the domestic legislation to enable Mauritius to comply with its treaty obligations.

142. Reference is made to the Second Periodic Report, paragraphs 45 to 61, of the Republic of Mauritius.

143. Between 2006 and 2010, several measures have been taken to implement the provisions of Article 4 of the Convention.

144. Pursuant to Articles 11 and 35 of the Convention, the Combating of Trafficking in Persons Act, passed in 2009 provides for the prosecution of criminals involved in the trafficking of human beings, especially women and children.

145. The objectives of the Act are to give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in persons; prevent and combat trafficking in persons; and protect and assist victims of trafficking. It provides for repatriation of victims of trafficking, and return of victims of trafficking to Mauritius, compensation to victims of trafficking and other penalties.

146. The Act is in addition to, and not in derogation from, the Child Protection Act. Pursuant to the Act, it is not a defence to a charge of trafficking that a person who is a victim of trafficking, or a person having control or authority over a minor who is a victim of trafficking, has consented to the act which was intended to constitute trafficking.

147. Pursuant to Articles 11 and 35 of the Convention, there was a consequential amendment following the enactment of the Combating of Trafficking in Persons Act 2009.

148. The Child Protection Act was amended, to enable the Court to suspend the parental responsibilities and rights of a person who has committed an offence of trafficking in relation to a minor, under his responsibility. The Court may also order the minor to be admitted to a place of safety, for such period as it thinks fit. The amended Act also aligns the meaning of exploitation” to the one used in the Combating of Trafficking in Persons Act 2009.

149. Pursuant to Articles 9, 15, and 40 of the Convention, The Probation of Offenders (Amendment) Act 2009 was enacted by Parliament to enable a Court, when making a probation order ,to impose an attendance centre requirement; a curfew requirement; a drug or alcohol treatment requirement; and /or a residence requirement.

150. A curfew and a residence requirement can be imposed in respect of a minor only. The Act also provides that where a probation order contains an attendance centre requirement, the period of attendance shall not exceed 60 hours; and not more than 3 hours a day. Where a probation order contains a curfew requirement, the place where, and the time (not exceeding a span of six months) during which, a probationer is required to remain indoors shall be specified in the probation order,

151. A curfew requirement shall, as far as practicable, not interfere with the normal school hours or educational activity of a probationer.

152. Where a Court convicts a person under Section 34(1) of the Dangerous Drugs Act; or is satisfied that an offender is dependent on drug or alcohol, the Court may impose on him a drug or alcohol treatment requirement. Where a probation order contains a residence requirement, the period during which the probationer is required to reside shall not span over a period of more than 12 months as from the date of a probation order.

153. Pursuant to Article 40 of the Convention, the Community Service Order Act was amended in 2009 to allow the Court to make a Community Service Order in the case of a minor, between the ages of 16 and 18 and who is sentenced to imprisonment. As per the Community Service Order Amendment Act 2009, the Magistrate may now therefore suspend the sentence of imprisonment imposed on the convicted minor and make a community service order requiring the convicted person to perform unpaid work in the open for a number of hours, subject to certain conditions.

154. Pursuant to Articles 37 and 40 of the Convention, the DNA Identification Act 2009 was enacted by Parliament to make provision for the taking of DNA samples and their use, protection, storage and destruction. When a person is or may be connected to or associated with a serious offence, a DNA sample from that person may be taken for the purpose of forensic analysis, and when a child is concerned, the police officer shall obtain the written authorisation of his parent, where the person suspected of the serious offence is before taking the DNA sample.

155. Pursuant to Article 28 of the Convention, the Mauritius Institute of Training and Development Act 2009 was enacted by Parliament to provide for the setting up of an Institute to enrol students for technical and vocational education and training programmes and courses. The institute will also set up training centres and develop curricula based on national standards registered under the National Qualifications Framework.

156. Pursuant to Articles 17(c), 28, 29 and 31 of the Convention, The *Centre de Lecture Publique et d'Animation Culturelle* Act 2009 was enacted by the Parliament of Mauritius, to provide for the setting up of the *Centre de Lecture Publique et d'Animation Culturelle*, to, inter alia, encourage and promote reading through artistic, cultural and educational activities, especially where reading centres are practically non-existent and make reading material easily accessible to the public.

157. Pursuant to Articles 18, 19 and 20 of the Convention, The Child Protection (Amendment) Act 2008 was enacted by the Parliament of Mauritius to introduce the concept of child mentor”, establish a Child Mentoring Committee and make provisions for the issue of mentoring orders by the Court, and for the setting up of the Child Mentoring Scheme.

158. Pursuant to Articles 18, 19 and 20 of the Convention, the object of the Child Mentoring Scheme is to assist children between the age of 10 and 16 who are victims of neglect, who suffer from mild behavioural problems, who are in distress, or have problems of social adaptation. A child can be placed under this scheme in any of the following situations: where he cannot adequately be dealt with under the Juvenile Offenders Act or the parents of a child are refusing to take or cannot take any measures to provide the child with the assistance and support that he needs or it is in the best interest of a child to be placed under the Scheme or where there is no alternative means of providing assistance and support to him, or where a child may require assistance under the scheme.

159. Pursuant to Article 5 of the Convention, where a child is placed under the Scheme, he is assigned a child mentor who provides him with guidance, advice and with such sense of stability as may be lacking in the life of the child. A child placed under the Scheme remains in the custody of his parents.

160. The Child Mentoring Scheme is not yet operational and no application for mentoring order has yet been made to the courts.

161. Pursuant to Articles 18 and 24 of the Convention, the Employment Rights Act 2008, effective as from 2 February 2009, provides for maternity benefits, whereby a female worker who has been in continuous employment with the same employer for a period of 12 consecutive months is entitled to 12 weeks' maternity leave on full pay with at least

6 weeks' maternity leave after confinement. Also, a female worker who is nursing her unweaned child is, for that purpose, entitled every day at a time convenient to her and having regard to the needs of the child to at least 2 breaks of half-hour or one break of one hour, on full pay, for a period of 6 months from the date of confinement or such longer period as may be recommended by a medical practitioner.

162. Pursuant to Article 24 of the Convention, the Act also provides that:

(a) Subject to medical recommendation, a female worker who is pregnant shall not be required to perform duties requiring continuous standing; or that may be detrimental to her health and that of her baby; and

(b) Where the Permanent Secretary of the Ministry responsible for the subject of labour and employment relations is of the opinion that no adequate arrangements have been made to nurse the child of a worker, he may, after consultation with a government medical practitioner, give such directions by written notice to the employer as he thinks fit.

163. Pursuant to Articles 5 and 18 of the Convention, the Act also makes provision for Paternity Leave whereby a male worker who reckons continuous employment with the same employer for 12 months is entitled to 5 continuous working days' leave on full pay, on evidence that his spouse has given birth to his child and he is living with his spouse under a common roof.

164. Pursuant to Article 27 of the Convention, the Seafarers' Welfare Fund Act 2008 provides for the establishment of the Seafarers' Welfare Fund to promote the social and economic welfare of seafarers in Mauritius, and to develop schemes and projects for the welfare of seafarers and their families. In the Act, it is specified that the term "family" includes dependent children of the seafarer. The Act provides also for the Fund to periodically assess and review the adequacy of existing welfare facilities for seafarers and their families.

165. The Judicial Provisions Act 2008 was enacted by the Parliament of Mauritius, to increase the penalties for offences under the Child Protection Act, namely, child trafficking, abandonment of child and abducting child.

166. Pursuant to Article 35 of the Convention, The Child Protection Act was amended in 2008 to provide for harsher Penalties for the Offence of Child Trafficking under Section 13A [S13A(1), S13A(2)(a) and (b), S13A(3), S13A(4), S13A(5)(b)].

167. Pursuant to Articles 3 and 9 of the Convention, the Child Protection Act was amended in 2008 under Section 13A (7) of the Act, where the Court finds that a person who has parental responsibility and rights in respect of a minor has committed an offence under this section in relation to that minor, it may suspend the parental responsibilities and rights of that person and order the minor to be admitted to a place of safety.

168. Pursuant to Article 9 of the Convention, the Child Protection Act was amended in 2008 to provide for harsher penalties for the offence of abandonment of child under Section 13B [S13B(1), S13B(2), S13B(3), S13B(5)].

169. Pursuant to Article 35 of the Convention, the Child Protection Act was amended in 2008 to provide for harsher penalties for the offence of abducting child under Section 13C [S13C(1)(a) and (b), S13C(2), S13C(3)].

170. The Criminal Code was amended at Section 233B(3) to provide for Harsher Penalties for the offence of sale or offer for sale of offensive instrument to person under 12 (Fine not exceeding Rs. 25,000 + Imprisonment for term not exceeding 5 years).

171. Pursuant to Articles 17, 24 and 33 of the Convention, the Public Health Regulations Tobacco and Alcohol are in force as from 1 March, 2009. These regulations aim, among

others, to ban advertising, promotion and sponsorship of both alcohol and tobacco products, and to significantly reduce exposure to second-hand smoke. Action has also been taken to ban the sale of cigarettes and alcohol both to and by minors

172. Pursuant to Article 24 of the Convention, the sale of soft drinks has been prohibited in all educational institutions since January 2007, as soft drinks contain excessive amounts of sugar, and are responsible for weight problems and dental decay later in life.

173. Pursuant to Article 24 of the Convention new regulations have been made to control sale of food in school canteens since January 2010, as surveys have shown that Mauritian children and adolescents have wrong eating habits, which have to be corrected at an early age, and in the impressionable years of childhood.

174. Pursuant to Articles 19 and 34 of the Convention, the Criminal Code was amended at Section 249(3) to provide for harsher penalties for offence of committing indecent act on a child under 12 (Penal servitude for a term not exceeding 10 years).

175. Pursuant to Articles 19 and 34 of the Convention, the Criminal Code was amended at Section 249(4) to provide for – harsher penalties for offence of having sexual intercourse with minor under 16 (Penal servitude not exceeding 20 years).

176. Pursuant to Articles 19 and 34 of the Convention, the Criminal Code was amended at Section 249(5)(b) to provide for harsher penalties for the offence of committing indecent act on a specified person (Penal servitude for a term not exceeding 16 years)

177. Pursuant to Article 19 of the Convention, the Criminal Code was amended at Section 260 to provide for harsher penalties for the offence of family abandonment, including evading parental responsibility and putting health, security and morality of children at risk (Fine not exceeding Rs. 100,000 and Imprisonment for a term not exceeding 5 years).

178. Pursuant to Articles 19, 27 and 39 of the Convention, the Criminal Code was amended at Section 261 to provide for harsher penalties for the offence of failure to pay alimony (Fine not exceeding Rs. 50,000 and Imprisonment for a term not exceeding 2 years).

179. Pursuant to Article 2 of the Convention, the Equal Opportunities Act 2008 was enacted by the Parliament of Mauritius to promote equal opportunity between persons and prohibit discrimination on the ground of status (age, caste, colour, creed, ethnic origin, impairment, marital status), and by victimisation. Discrimination is prohibited on the grounds that a person has responsibility to care for a dependent child or that she is or likely to be pregnant. The Act is not yet in force.

180. Pursuant to Articles 23 and 32 of the Convention, the Equal Opportunities Act 2008 was enacted by the Parliament of Mauritius to promote equal opportunity between persons and prohibit discrimination in employment, which includes contract of apprenticeship, to which persons aged less than 18 may subscribe, as well as access to training.

181. Pursuant to Articles 23 and 28 of the Convention, the Equal Opportunities Act 2008 provides that no educational institution shall discriminate against a person in deciding who should be admitted as a student, by refusing or failing to accept that person's application for admission, except as provided by the Act. The prohibition applies to access to sports activities as well.

182. Pursuant to Article 19 of the Convention, the Equal Opportunities Act 2008 provides that no member of the staff of an educational institution shall sexually harass a student at the institution or a person who is seeking admission as a student, and that no student at an educational institution shall sexually harass another student.

183. Pursuant to Article 24 of the Convention, the Early Childhood Care and Education Authority Act were passed in 2007. Its main object is to provide for the establishment of the Early Childhood Care and Education Authority and to have a more efficient regulatory framework in relation to early childhood care and education.

184. Pursuant to Articles 19, 27 and 39 of the Convention, the Protection from Domestic Violence Amendment Act, 2007 was enacted by Parliament to make provision, inter alia, for the payment of alimony in respect of the aggrieved spouse and any child of the parties and harsher penalties for failing to comply with an order. These amendments have not been proclaimed yet. A Rules Committee has been set up by the Chief Justice to make rules to be followed in applications under this Act. The amendments will be proclaimed once these rules are ready.

185. Pursuant to Articles 28 and 29 of the Convention, The Licensing of Recruiting Agents for Overseas Educational and Training Institutions Act was enacted by Parliament in 2006 and it was proclaimed on 21 June 2006.

186. The Act provides for the regulation of persons or bodies recruiting students including minors for admission to overseas educational and training institutions.

187. As per the Act every licensee shall be responsible for providing clear and comprehensive written information including quality and cost of the courses; living costs of a student; the quality and cost of health facilities and the level of security at the institution;

188. As per the Act every licensee shall facilitate the return of a student, including obtaining an exit visa where appropriate, and the completion of any other formalities (i) where the student has been seriously injured or is unfit on grounds of ill-health to continue his studies; (ii) where the security of the student in the country in which he is studying is threatened by circumstances amounting to force majeure; or (iii) in case of death of the enrolled student in the country in which he is studying.

189. To raise the minimum age of competency to enter into a contract of employment from 15 to 16 years in line with the amendment brought to the Education Act rendering education compulsory up to the age of 16, the Employment Rights Act 2008, provides at Section 6, that: "Notwithstanding any other enactment, a person who is of the age of 16 or more shall be competent to enter into an agreement and shall, in relation to the agreement and to its enforcement, be deemed to be of full age and capacity."

190. Pursuant to Articles 28 and 29 of the Convention, the Sugar Industry Efficiency (Amendment) Act makes provision for the pro poor dimension of the Government Multi Annual Adaptation Strategy Action Plan 2006-2015 by, inter alia, broadening the scope of courses to which children of voluntarily retired workers may be eligible through scholarships and reimbursement of the school transport of the worker's children living on the estate. The children of agricultural and non-agricultural workers shall remain eligible for the various scholarships offered by the SILWF for secondary education. Provisions are made, for a period of 10 years, for annual scholarships to be awarded to 2 of the children of the workers concerned by the VRS or an ERS to follow any diploma/degree course at the University of Mauritius, the University of Technology of Mauritius or any recognised institution. Provision is also made to guarantee payment of certain benefits to heirs of employees.

191. Pursuant to Article 3 of the Convention, the Truth and Justice Commission Act, 2008 was enacted by Parliament to provide for the setting up of the Truth and Justice Commission which has the task of conducting inquiries into slavery and indentured labour during the colonial period in Mauritius and determine, inter alia, appropriate measures to be extended to descendants of slaves and indentured labourers.

192. Pursuant to Article 24 of the Convention, the HIV and AIDS Act 2006 was enacted by Parliament to provide for measures for the prevention and containment of HIV and AIDS. The Act provides also for a rights-based approach to HIV and AIDS-related issues, and aims in particular at protecting persons living with HIV and AIDS from discrimination. The objects of the Act is to respond to the escalating HIV/AIDS epidemic being witnessed in Mauritius through enhanced HIV prevention programmes and scaled up national mechanisms for voluntary counselling and testing.

193. In order to protect the right of the child, the HIV and AIDS Act 2006 provides for HIV counselling and testing to be carried out on a minor only with the informed consent of the legal administrator or guardian. On the other hand, testing being a prevention measure, to grant access to minors to testing facilities, the law allows a person to undertake an HIV test on a minor without the consent of his legal administrator or guardian where the minor makes a written request for such a test and that person is satisfied that the minor understands the nature of his request.

194. Pursuant to Articles 5, 8, 9,10,18,22 and 37 of the Convention, the Code Civil Mauricien provides as follows:

Article 371-4: “L’enfant a le droit d’entretenir des relations personnelles avec ses ascendants. Seul l’intérêt de l’enfant peut faire obstacle à l’exercice de ce droit. Si tel est l’intérêt de l’enfant, la Cour Suprême fixe les modalités des relations entre l’enfant et un tiers, parent ou non.”

195. Pursuant to Articles 5, 8, 10, 16, 22 and 37 of the Convention, the Code Civil Mauricien was amended by adding the following:

Article 371-5: “A child cannot be separated from his brother/sister unless there is no other alternative and it is in his best interest.”

196. Pursuant to Articles 5, 20 and 21 , of the Convention ,and relating to cases where a parent has abandoned a child, The Code Civil Mauricien (Amendment) Bill was presented by the by Attorney General on 13 August 2010 to amend the Code Civil Mauricien so as to reduce the time limits applicable to declare a person absent. The Bill provides that where there has been a judicial decision to the effect that a person is presumed absent, the time lapse of 5 years be reduced to 3 years, for the purpose of declaring the person absent. The Bill further provides that where there has been no such judicial decision, a person can be declared absent if he is no longer seen at his place of residence for a period of more than 5 years, instead of more than 10 years. The Bill once passed will facilitate administrative measures to assist a child, when the whereabouts of a parent is not known.

197. Pursuant to Articles 19, 24, 32, 36, and relating to the health, welfare, safety and protection of subjects (including children) in clinical trials, the Clinical Trial Bill was introduced by the Minister of Health and Quality of Life on 3 December 2010 to provide the legal framework for the conduct of clinical trials for the purpose of discovering or verifying the effects of investigational medicinal products. The Bill is at its first reading.

198. To ensure the health, welfare, safety and protection of subjects (including children) in clinical trials, the Bill provides for the setting up of the Clinical Research Regulatory Council which shall exercise control over licensees and on clinical trial sites, prepare and approve guidelines for the safe and ethical operation of clinical trials, keep a record of all published material relating to clinical trials and monitor clinical trials generally.

199. The Bill also provides for the setting up of (a) the Pharmaco-vigilance Committee which shall collect, analyse and classify information on adverse events and adverse reactions in:

(a) Relation to subjects involved in clinical trials and shall advise the Clinical Research Regulatory Council and the Ethics Committee;

(b) The Ethics Committee which shall give an opinion on any proposal to start a clinical trial and shall advise the Clinical Research Regulatory Council on the health, welfare, safety and protection of subjects in clinical trials.

Bills in preparation

200. Pursuant to Article 40 of the Convention, the Juvenile Offenders Act is presently under review by the Attorney General's Office. One of the objects of the Juvenile Offenders (Amendment) Bill is to provide for mediation between interested parties with a view to explore diversionary measures as an alternative to prosecute child offenders. It will also provide for the calling of a pre-sentence report from a probation officer by a court before which a juvenile is convicted. Furthermore, this Bill's object is also to have better provisions for dealing with uncontrollable juveniles. Once the draft Bill is ready, it will be circulated among all relevant stakeholders for their comments and proposals, before finalizing same.

201. Pursuant to Article 4 of the Convention the Consolidated Children's Bill is under preparation following the recommendation of the Committee on the Rights of the Child for the enactment of a comprehensive Children's Act, the Bill shall consolidate the various pieces of legislation covering all aspects of children rights, and this in view of ensuring full compliance with the principles and provisions of the Convention on the Rights of the Child.

202. The process to enact this legislation is well under way. A series of workshops on thematic issues are being organized as part of the consultation process, where all relevant stakeholders are being requested to provide their inputs and proposals for the Consolidated Children's Bill. Five such workshops have already been held, and about five will be organized in the coming weeks and months.

203. With regard to Article 40 of the Convention, the Reform Institutions Act is presently under review by the Attorney General's Office. The object of the Reform Institutions (Amendment) Bill is to amend the Reform Institutions Act by introducing the concept of "through care". This will allow juveniles to receive care on a continuous basis by a probation officer from the date of his sentence to a Correctional Youth Centre or a Rehabilitation Youth Centre, up to the date of his release.

204. With regard to Article 21 of the Convention, the National Adoption Council Act is presently under review by the Attorney General's Office. The object of the National Adoption Council (Amendment) Bill is to give effect to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

205. With regard to Article 17 (e) of the Convention, the Child Online Safety Bill is under preparation and the Ministry of Gender Equality, Child Development and Family Welfare is awaiting further instructions from the Ministry of Information and Communication Technology. The purpose of this bill is to prohibit activities which are carried out through an information and communication network or service, including child pornography, grooming a child for immoral purposes, child access to pornographic material and the protection of privacy of personal data collected from and about children.

Remedies available and their accessibility

206. Section 17 of the Constitution provides that a citizen, who alleges that any of his constitutional rights has been, is being or is likely to be contravened, may apply to the Supreme Court for redress.

207. Mauritius has adopted an Equal Opportunities Act which prohibits discrimination on various grounds, including colour, ethnic origin and race in various spheres of activity, namely employment, education, provision of goods, services or facilities, accommodation, disposal of immovable property, companies, partnerships, societies or registered associations, clubs and access to premises and sports. The establishment of an Equal Opportunities Division within the National Human Rights Commission and of an Equal Opportunities Tribunal with wide powers is provided for to enforce the provisions of the Act.

Victims of trafficking

208. Provisions for the setting up of centres for victims of trafficking have been made in the Combatting of Trafficking in Persons Act 2003. These centres provide for temporary accommodation, suited for the needs of victims of trafficking admitted to them.

(a) The centre will secure the safety of its inmates against any risk of retaliation; provide counselling and rehabilitation services to its inmates; facilitate the integration of its inmates into their families; offer facilities aimed at providing education, skills development and training; and where necessary, provide reception, care and other facilities for a child who is in the care and custody of an inmate.

(b) The officer in charge of a centre shall, on the admission of an inmate, make an assessment to determine the risks to the safety of the inmate and of any child in his care and custody; and assess the immediate and long term needs of the inmate.

(c) A victim of trafficking, including a child victim, who is a non-citizen, regardless of his status, may be allowed to remain in Mauritius for a non-renewable period not exceeding 42 days. This period shall not depend upon the willingness of the victim of trafficking to cooperate with investigating officers and prosecuting authorities in the investigation and prosecution of a case of trafficking.

(d) A visitor's permit may, subject to the prescribed conditions, be issued to a victim of trafficking who, placed in the care of a Centre or of any other authorised person, organisation or institution, agrees to co-operate with investigating officers and prosecuting authorities in the investigation and prosecution of a case of trafficking. This visitor's permit may be issued to a victim of trafficking regardless of his status or whether a non-renewable period contemplated in the law was granted or has expired.

(e) On humanitarian grounds, a visitor's permit may be extended, taking into account the likelihood that the holder of the permit may be harmed, killed or trafficked again if returned to his country of origin or the country from which he has been trafficked.

(f) No victim of trafficking, who is a non-citizen, may, unless he agrees to the proposed course of action, be returned to his country of origin or the country from which he has been trafficked without due consideration being given to: his safety during the repatriation process; his safety in the country to which he is to be returned; and the possibility that he may be harmed, killed or trafficked again.

(g) Where a decision has been made to return a person who is a victim of trafficking to his country of origin or the country from which he has been trafficked, steps will be taken to obtain information relating to an institution or organisation which renders assistance to victims of trafficking in the country to which the person is to be returned and which is willing to provide assistance to that person; and the person shall, in the prescribed manner, be informed of any arrangements which have been made for his reception in the country to which he is to be returned.

(h) Where a victim (a minor) of trafficking is a citizen or a permanent resident of Mauritius is to be returned to Mauritius, an adult will be designated, to escort the minor home. This will be done at State expense, and also if it is in the interest of the minor.

209. Government will facilitate and accept the return of the victim, and where necessary, take measures to secure the reception of the victim at a Mauritian port of entry. It will issue such travel document or other authorisation as may be necessary to enable the victim to return. Also, it is provided the following: (a) on entry into Mauritius, a minor, victim of trafficking will be referred to the Child Development Unit; (b) the Court before which a person is convicted of trafficking may, in addition to any penalty which it may impose in respect of the offence, order the person convicted to pay appropriate compensation to a victim of the offence for physical, psychological or other injury; (c) where the amount of damage, injury or loss suffered as a result of trafficking exceeds 500,000 rupees the victim may recover any excess by means of a civil action.

Child mentoring

210. The Scheme is administered by the Permanent Secretary of the Ministry of Gender Equality, Child Development and Family Welfare (with the assistance of the Child Mentoring Committee) which receives and considers applications from volunteers for registration as child mentor, and provides child mentors with such guidance and assistance as may be necessary for them to effectively carry out their functions and duties under a mentoring order. He will also identify children who may need assistance and protection and apply to the District Magistrate for a mentoring order where he deems it necessary. The Permanent Secretary supervises all placements of children and activities of child mentors under the Scheme, and shall forward to the Court a quarterly progress report, or any other report at such interval as may be decided by the Court, on every child subject matter of a mentoring order.

211. The Child Mentoring Committee advises Government and assists in administering and implementing the Scheme. It reviews at regular intervals the criteria for the recruitment of volunteers as child mentors and advises the Permanent Secretary accordingly. It conducts interviews for the recruitment of child mentors and considers the suitability of a child mentor in relation to a child for the purpose of a mentoring order. It also periodically assesses and evaluates the progress of children placed.

212. The Permanent Secretary may, with or without the consent of the parents, apply to the District Magistrate for a mentoring order in order to have the child placed under the Scheme if he reasonably believes that a child may require assistance under the Scheme. The District Magistrate may, for the purposes of issuing a mentoring order, take into consideration the nature and gravity of the child's problem, the infrastructural facilities near the child's residence, the availability and preference of the parents and such other matters as he may consider relevant.

213. A mentoring order shall remain in force for such period, not exceeding 12 months, as the District Magistrate may specify. The Magistrate may extend the mentoring order for such period of time, not exceeding 12 months, as he considers necessary. The Permanent Secretary or a parent may, at any time during which a mentoring order is in force, apply to the District Magistrate for a variation or discharge of the mentoring order, including the substitution of a child mentor by another child mentor. The District Magistrate may vary or discharge a mentoring order, or substitute a child mentor by another child mentor where he is satisfied that it is in the best interest of the child to do so.

214. Notwithstanding any other enactment, a mentoring order shall, while it is in force, confer on the Permanent Secretary the power to summon any person, with or without the child, to give evidence for the purpose of verifying whether the child is suffering or likely

to suffer harm. He may enter, and where necessary by force and with the assistance of the police, any premises specified in the mentoring order, and search for the child, subject to a warrant being issued by a District Magistrate. He may also cause the child to undergo such medical examination or treatment as may be necessary for the welfare of the child. He may request police or medical assistance for the exercise of any power under the mentoring order, and prevent a child mentor from continuing to mentor a child where he has reason to believe that a child mentor is not discharging his duties under this Act or is acting in breach of the Code of Ethics for child mentors.

215. The parents or any person having an influence, control or authority upon a child subject matter of a mentoring order shall, where so requested, provide such assistance as is possible to the child mentor to enable him to effectively discharge his duties. The Act provides for a Code of Ethics which states that a child mentor who has been assigned a child pursuant to a mentoring order shall be a caring and responsible adult in the life of the child and shall ensure the safety of the child in relation to any outdoor activity. He should build a trusting relationship with the child in order to identify the reasons for the child's problems, help the child develop an understanding of them, and guide the child as to how to tackle those problems. He will work towards improving, the child's self-esteem and self-confidence and encourage the child to develop his skills and participate in community-based after-school programmes and activities. Further, he will work towards improving the child's peer and parental relationships and provide all necessary guidance, advice and support to the child, with a view to bringing improvement in the child's behaviour and development.

216. As far as monitoring of the scheme is concerned, the mentor needs to comply with any recommendations or instructions which the Permanent Secretary may give to him, for the welfare of the child, and submit at least 5 days in advance to the Permanent Secretary, the list of activities for the month, which he proposes to undertake for the purposes of the mentoring, and such further information as the Permanent Secretary may require in relation to the mentoring. The mentor will regularly liaise with the parents of the child in relation to the progress and evolution of the child, and take into account the opinion of the child and act in his best interest.

Child Development Unit

217. Pursuant to Article 19 of the Convention, the Child Development Unit ensures that the survival, protection, development and participation rights of the Mauritian child are upheld as provided for in the Convention and the African Charter of the Rights and Welfare of the Child, whereby the best interests of the child shall be of primary consideration in and primary motivation for all policies, programmes and actions pertaining to children's welfare.

218. As per the "Parens Patriae" concept, the State has the obligation to ensure parental role wherever parents fail to do so and this role is ensured by the Child Development Unit of the Ministry of Gender Equality, Child Development and Family Welfare. The CDU provides comprehensive service delivery to any child victim of violence, whether it is at home, at school or at large. For the year 2010, some 6,020 new cases have been recorded at the CDU showing a drastic increase in the number of cases being reported.

219. As a measure to ensure the elimination of all forms of discrimination and violence against the child the Child Protection Act provides for the protection of the child from all forms of harm including violence and provides for the temporary removal or alternative placement of the child if faring in dysfunctional families and families with violence. The Act 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.

220. Tougher penalties have 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 not exceeding Rs. 50,000 and penal servitude for a term not exceeding 10 years to a fine not exceeding Rs. 100,000 and penal servitude not exceeding 20 years. As for offenders in cases of mentally handicapped victims, the penalty has been increased from penal servitude for a term not exceeding 15 years to penal servitude for a term not exceeding 30 years.

221. The Child Protection Act was further amended in December 2008 to provide for a Child Mentoring Scheme which provides individual guidance and support to adolescents with behavioural problems who may also be prone to becoming victims of commercial sexual exploitation and child violence in general.

222. The Ministry of Gender Equality, Child Development and Family Welfare is presently working in close collaboration with the Attorney General's Office on the Consolidated Children's Bill which aims at harmonising all legislations pertaining to children issues in line with the provisions of the Convention on the Rights of the Child. The Consolidated Children's Bill will thus provide a legislative spine for a wider strategy for improving children's lives and ensuring better protection. Workshops on the different themes covered under the proposed Bill are being organized with the various stakeholders dealing with children.

Ombudsperson for children

223. The office of the Ombudsperson for Children was established under the Ombudsperson for Children Act 2003. The objective of the office is to ensure that the rights, needs and interests of the children are given full consideration by public bodies, private authorities, individuals and associations for individuals, to promote the rights and best interests of children, to promote compliance with the Convention on the Rights of the Child.

224. The Ombudsperson for Children has the role of an advocate for children's rights, advises the Minister and other public bodies and institutions on matters relating to promotion and protection of children's rights and carries out such investigations as she may decide, on complaints relating to the rights of the child.

The Ombudsman

225. The office of the Ombudsman was created under Section 96 of the Constitution in 1968 in order to address issues arising from alleged maladministration in the public sector and wrongs that may be found to have been committed against the citizen. The Ombudsman does so through independent, objective and impartial investigations initiated upon receipt of written complaints or acting on his own initiative. He attempts to strike a fair balance between what the citizen expects from Government services (including local authorities) and the Government (or local authority) that provides these services. The Ombudsman's ultimate objective is to bring about a public service culture characterized by fairness, openness and accountability.

Data Protection Office

226. The Data Protection Act 2004 provides for the setting up of a Data Protection Office to be headed by a Commissioner. The object of the Act is mainly to provide for the protection of the privacy rights of individuals in the light of developments in the techniques used to capture, transmit, and manipulate, record or store data relating to individuals.

Policy coordination

227. A high-power committee based on the “Working Together Concept” on the protection, development and welfare of children has been set under the chairpersonship of the Permanent Secretary and comprises an officer not below the level of Principal Assistant Secretary from the following Ministries/Departments : the Prime Minister’s Office, the Ministry of Social Integration and Economic Empowerment, the Ministry of Finance and Economic Development, the Ministry of Education and Human Resources, the Ministry of Youth and Sports, the Ministry of Social Security, National Solidarity and Reform Institution, the Ministry of Health and Quality of Life, the Attorney General’s Office, the Ombudsperson for Children’s Office, the Police Department and the National Children’s Council.

228. Meetings have been held with all the different stakeholders on the major issues relating to the protection, development and welfare of children in general. The main objective of the Committee is to look into avenues of collaboration between all parties concerned to ensure rapid intervention in cases involving children. It will also be a forum whereby the roles and responsibilities of each party would be established with a view to give effect to collective action in dealing with such cases. A Memorandum of Understanding to this effect shall soon be signed by the Ministry of Gender Equality, Child Development and Family Welfare with different Ministries and Departments concerned.

229. In May 2006, the Ministry launched the National Policy Paper on the Family, which has the following objectives:

- Identify the problem areas and remedy the obstacles to proper family functioning;
- Promote knowledge and understanding of family life including parenting responsibilities;
- Render the family institution safe and secure for children and other vulnerable members; Ensure families have the resources they require to meet the needs of its members;
- Make families aware of their social responsibility to the community and for the protection of the environment.

230. To address the problem of domestic violence for its adverse impact on children, a National Action Plan to Combat Domestic Violence was launched in 2007. The National Action Plan spells out the roles and responsibilities of all stakeholders concerned to combat domestic violence. It contains five strategic objectives:

- Improving legislation on Domestic Violence and Strengthening of the Justice System and other agencies response;
- Providing appropriate, accessible, timely, coordinated multi-agency responses and support to all victims and children who need it;
- Sensitise and change attitudes to prevent domestic violence from happening in the first place;
- Promote responsible reporting, advocacy, sensitization and provision of a forum by media specialists to encourage the community at large to discuss domestic violence; and
- Undertake research and studies on domestic violence, strengthen capacity building and set up appropriate mechanisms for monitoring and evaluation of the National Action Plan to Combat Domestic Violence for the promotion of best practices.

231. As of date, 70% of the recommended actions in the Plan have already been implemented.

232. To operationalise the National Policy Paper on the Family, the Ministry of Gender Equality, Child Development and Family Welfare has come up with a National Action Plan on the Family. Following approval by Government, the National Action Plan on the Family was launched in November 2009. The objectives of the National Action Plan on the Family are:

- To implement a series of programmes and activities for achieving the enhanced functioning of the family through development of partnerships with stakeholder institutions; and
- To provide all stakeholders with guidelines to address family concerns in policy planning, decisions making and programmes for the following strategic objectives.

233. As of date, 25% of the recommended actions in the National Action Plan have already been implemented.

234. The Ministry of Gender Equality, Child Development and Family Welfare acknowledges the lack of qualified human resources in respect of Professional Social Workers, Psychologists (clinical/child) for psycho-social support to victims and parents, Care workers to assist Enforcement Officers with cases, Senior Family Welfare and Protection Officers to monitor interventions and Coordinators to supervise child protection.

235. In view of the dire need to reinforce protection services provided to children, measures are being taken to put in place a mechanism dealing specifically with children in the form of the Child Protection Service with separate offices and staffing. Consultations and brainstorming sessions are ongoing at the level of the Ministry to set up a comprehensive system, with the appropriate and adequate infrastructure to provide the possibility of enlisting simultaneous services of various teams of professionals to attend the immediate and multi-disciplinary needs of children victims of violence. The hotline 113 is also made available to the public for the referral of cases of child prostitution.

Monitoring

236. The Ministry of Gender Equality, Child Development and Family Welfare provides regular capacity building and training programme for professionals and other stakeholders working with and for children mainly, in the areas of Early Childhood Development Programme, Commercial Sexual Exploitation, Community Child Protection Programme, the different techniques of enquiry and investigation, stress managements, dealing with difficult clients, first aid amongst others and the component on Convention cut across all the themes elaborated within the training held up till now. Overall a total number of 5,000 persons have been trained in these fields.

237. The Child Development Unit operates through a network of 6 outstations and provides immediate assistance, as appropriate and protection to children, victims of abuse, especially sexual abuse. The Ministry is in the process of reviewing the existing mechanism with regard to these outstations.

National Human Rights Commission

238. The National Human Rights Commission (NHRC) was established under the Protection of Human Rights Act 1998 and is operational since April 2001. It was granted accreditation by the International Coordination Committee of National Human Rights Institutions in 2002 and is governed by the Principles Relating to the Status of National Institutions, Competence and Responsibilities (“Paris Principles”). The Sub-Committee on

Accreditation of the International Coordination Committee of National Human Rights Institutions recommended in April 2008 that the Commission be re-accredited Status A. the Commission as thereafter always been accredited A compliant and this bears testimony to the fact that the Commission has been complying generally with the Paris Principles.

239. The budget for the operations of the National Human Rights Commission (NHRC) is voted annually by the national Assembly.

240. The Protection of Human Rights Act 1998 provides that the Commission may:

(a) Enquire into any written complaint from any person alleging that any of his human rights has been, is being or is likely to be violated by the act or omission of any other person acting in the performance of any public function conferred by any law or otherwise in the performance of the functions of any public office or any public body;

(b) Enquire into any other written complaint from any person against an act or omission of a member of the police force in relation to him, other than an act or omission which is the subject of an investigation by the Ombudsman;

(c) Visit any police station, prison or other place of detention under the control of the State to study the living conditions of the inmates and the treatment afforded to them;

(d) Review the safeguards provided by or under any enactment for the protection of human rights;

(e) Review the factors or difficulties that inhibit the enjoyment of human rights;

(f) Exercise such other functions as it may consider to be conducive to the promotion and protection of human rights.

241. The NHRC mainly enquires into complaints from persons alleging violation of their rights under Chapter II of the Constitution by the acts of public bodies or public officers and complaints against acts of members of the police force. It can also enquire of its own motion into such acts. Its functions also include visiting police stations, prisons and other places of detention to study detainees' living conditions.

242. The Sex Discrimination Division, which is part of the National Human Rights Commission, was set up under the Sex Discrimination Act 2002 and is empowered to receive and enquire into any written complaint relating to alleged infringements of the Act. The Sex Discrimination Act 2002 which came into operation on 8 March 2003 is designed "to provide for the elimination of all forms of gender discrimination and sexual harassment in certain areas of public activity." The Act prohibits discrimination in employment: no employer is allowed, in relation to recruitment, selection or employment, to discriminate on the grounds of sex, marital status, pregnancy or family responsibility. Discrimination in education, in accommodation, in the disposal of property, in companies and partnerships, in clubs is strictly prohibited under the provisions of the Sex Discrimination Act.

Article 42

Dissemination of the Convention

243. Reference is made to paragraphs 94 to 108 of the Second Periodic Report.

244. Pursuant to Article 42 of the Convention, the Ministry of Gender Equality, Child Development and Family Welfare organises a 16 Days – 16 Rights campaign on various articles of the Convention on a yearly basis and sensitization programmes are held for children at all levels. The National Children council, the Office of the Ombudsperson for Children and NGOs participate actively in the activities. Children are made aware of various articles of the Convention at the level of their school or clubs, and they are given

the opportunity to express their views on these articles in the form of drawings, paintings, frescos, poems, sketches. The 16 Days – 16 Rights Campaign usually culminates with the commemoration of the Day of the African Child with the participation of children and parents in a cultural programme. Yearly some 1,500 children are involved in the campaign.

245. Talks on Convention on the Rights of the Child (CRC), Commercial Sexual Exploitation of Children (CSEC), Unsafe Sex, Child Abuse, Protection of Children against Violence and Sexual Reproductive Health have been organized by the National Children's Council in Public Primary Schools and RCEA Schools, Public and Private Secondary Schools, in Vocational Schools and in Children's Clubs and Associations. From July 2008 to June 2009 talks were held in schools for some 15,130 students, 512 teachers and 985 parents, as follows:

- 159 talks on the Convention on the Rights of the Child reaching 3,641 children;
- 162 talks on Commercial Sexual Exploitation of Children (CSEC) and Unsafe Sex reaching 4,200 children, 281 teachers and 985 mothers/parents on Parental Empowerment;
- 98 talks on Child Sexual Abuse and Teenage Pregnancy reaching 4,300 children (including 1,603 adolescents) and 281 teachers;
- 52 talks on Protection from Violence against Children, reaching 2,989 children.

246. In 2010, sensitisation programmes were carried out island wide. Talks and other inter-active sessions were held on the Convention, CSEC, Prevention of child Abuse, Child Sexual Abuse, Violence inside and outside home in Public/Private Secondary Schools and other organizations:

- 192 talks/interactive sessions of the Convention on the Rights of the Child and on Protection from violence within and outside home where 4,584 students/pupils and 210 teachers were reached;
- 175 talks/forum/discussions were held on Commercial Sexual Exploitation of Children (CSEC) and unsafe Sex 5,315 students and 227 teachers were sensitized;
- 81 talks/Interactive sessions on Parental Empowerment were held reaching 528 parents;
- 98 talks/Interactive sessions on Child Sexual Abuse and Teenage Pregnancy reaching 3,998 adolescents.

247. Some working sessions were held with representatives of the *Bureau d'Education Catholique*, the Ministry of Education and some private schools to discuss how the IEC Campaigns on the Child Protection, Prevention on Child Abuse and Commercial Sexual Exploitation of Children and the United Nations Convention on the Rights of the Child were to be conducted. The objectives of the campaign are:

- To promote the Convention on the Rights of the Child and the Child Protection Act;
- To sensitise the Students of both Primary and secondary School on Child protection and the Rights of Children as per provided for in the Convention;
- To work on the prevention of Child Abuse and CSEC (Commercial Exploitation of the Child).

248. Two Participatory Workshops organised by the National Children's Council, were held on the Convention and Child Protection, the first one on 19 February 2010 at Sir Claude Noel Government School L'Escalier Primary Schools where 90 pupils were reached

and the second workshop on Protection from Child Abuse was held on 25 February 2010 at Port Louis State Secondary School where some 83 students were reached.

249. The Ombudsperson for Children organizes training sessions and a number of talks, seminars and workshops, both in Mauritius and in Rodrigues, in order to sensitise stakeholders working with children on the Convention on the Rights of the Child and on related issues such as violence against children, child abuse and prostitution, and child labour. A kit on violence against children addressed to the personnel working in the education sector has been prepared by the Ombudsperson in collaboration with the Ministry of Education.

250. The National Human Rights Commission (including the Sex Discrimination Division) continued with its series of activities to raise awareness of Human Rights. The audience at various workshops consisted of police officers, officers from the Administrative Cadre in the public service, students from primary and secondary schools including those from Rodrigues. Talks on sex discrimination and sexual harassment were also delivered to students, factory workers, women, representatives of Ministries and also to the Mauritius Council of Social Services.

251. Interviews on television, radio and to the press were given to raise awareness on topical human rights issues. There was also active participation in mock trials organized by the Mauritius Family Planning Association and the University of Mauritius Law Society which canvassed issues of domestic violence, HIV/AIDS and reproductive rights.

252. Regular activities are organised to sensitise children on the Convention of the Rights of the Child, child abuse including commercial sexual exploitation of children, sexually transmitted diseases. They are given the skills to protect themselves from social ills. Their creativity skills are also enhanced through various activities. Indoor and outdoor games, educational outings, quiz, sketch storytelling are also organised.

Article 44

Dissemination of reports

253. Pursuant to Article 44, paragraph 6, of the Convention, the document “Concluding Observations: Mauritius”, following consideration of the Second Periodic Report of the Republic of Mauritius was circulated to all Government stakeholders to address their respective areas of concern and to implement the recommendations contained therein.

254. A Monitoring Committee comprising all concerned Ministries and Departments was set up at the level of the Ministry to monitor progress made by each individual stakeholder, with respect to the implementation of the recommendations of the Concluding Observations. Meetings were thus held, under the Chairpersonship of the Permanent Secretary of the Ministry of Gender Equality, Child Development and Family Welfare to ensure follow-up at high level with the representatives of Ministries and Departments.

255. The “Written Replies made by the Government of Mauritius” and the “Concluding Observations” are available on the Internet, and accessible to all.

Cooperation for implementation

256. Reference is made to paragraphs 82 to 85 of the Second Periodic Report.

257. The Government is committed to the optimisation of the Government/NGO partnership in improving the conditions of life of the vulnerable groups. This is being translated into reality through the NGO Trust Fund which operates under the aegis of the Ministry of Social Security, National Solidarity and Reform Institutions and contributes to

the development of NGOs in Mauritius through financial assistance and capacity building. It provides financial assistance to NGOs in the form of grant in aid, Ad Hoc financial assistance and/or partial funding of micro projects/community development projects.

258. Grant-in-Aid is an annual sum earmarked for NGOs to cover their day-to-day running. It is usually disbursed in two instalments of 60 and 40% respectively. This allows a more effective monitoring of the funds to the NGOs. The Annual grant varies between Rs. 44,000 to Rs. 2 million.

259. An Ad Hoc Assistance is granted to NGOs either to cover partly a capital or to cover part of its current expenses or to help an NGO with financial difficulty. Any new application for grant in aid from NGOs not previously receiving assistance from the NGO Trust Fund is treated first as an Ad Hoc Financial Request. The sum earmarked for this type of assistance varies between Rs. 75, 000 to Rs. 100, 000. This is a one-off grant without any commitment to renew funding for other financial years. Criteria to benefit from Ad Hoc Financial Assistance are same as those of Grant in aid. Similarly, the same documents are being requested as under Grant in aid.

260. NGOs can also benefit from micro project in the form of partial funding of projects up to a ceiling amount of Rs. 125, 000. There exist also community development projects for financing of projects of a self-help nature to a ceiling amount of Rs. 200,000.

261. The Ministry of Gender Equality, Child Development and Family Welfare has been entrusted with the Implementation of a "Special Collaborative Programme for Support to Women and Children in Distress". Funds earmarked under the programme assist NGOs and Non-State Actors to implement projects aimed at enhancing the livelihoods of women and children in distress and create opportunities for their integration in the mainstream of development. Funds to the tune of Rs. 30m were earmarked for July-December 2009, Rs. 70m for the year 2010 and Rs. 40M have been provided for the year 2011. It provides a grant ceiling of Rs. 2m (USD 67,000) per project proposal (for a maximum of submission of 2 project proposals) to Non State Actors (NSAs). As at date, 45 NSAs have received grants to the tune of Rs. 42.5m (USD 1,448,040.87).

262. The first call for proposals was launched in August 2009. Funds to the tune of Rs. 30M were earmarked for July- December 2009. Out of the 97 projects proposals received from NGOs, 17 projects were approved, for which funds to the tune of Rs. 20.04m have already been disbursed to Non State Actors. Following the second call for proposals in January 2010, 115 project proposals, which include 3 for Rodrigues, have been received. 28 project proposals were approved and funds were disbursed to the tune of Rs. 22.1m.

263. The National Solidarity Fund under the aegis of the Ministry of Social Security, National Solidarity and Reform Institutions provides financial assistance to citizens of Mauritius residing in Mauritius who may require surgical operations which can only be performed in private medical institutions in Mauritius, (approved by the Ministry of Health); and financial assistance directly to individuals who have undergone severe Personal Hardship, as follows:

- Needy students:
 - SC/HSC students (Not qualified for refund of exams fees according to Social Aid Act);
 - IVTB approved courses;
 - University registration fees;
- Victims of Natural Calamities;
- Multiple births (e.g. Twins, Triplets);

- Patients suffering from incurable diseases - certified by Medical Practitioners.

264. In the light of a Training Needs Assessment carried out in 2006, the NGO Trust Fund has embarked on a number of training programmes for NGOs namely: Project Management, Accounting & Budgeting, Communication Skills, Basic Counselling, Fundraising, Strategic Management and Social Entrepreneurship.

265. In order to sensitise religious and community leaders on the issue of domestic violence, a workshop was organised with religious bodies and the Council of Religions. A booklet on “Domestic Violence and Communities of Faith-Engaging Religious Organisations-the fight Against Domestic Violence” was launched and disseminated in November 2008.

266. In 2009, the Ministry collaborated with the Youth Wings of the Council of Religions to sensitise them on the issue of domestic violence so that they can promote a culture of non-violence in the society.

267. The NGO SAFIRE (*Service d’Accompagnement, de Formation, d’Insertion et de Rehabilitation de l’Enfant*) devotes its work exclusively to street children. Although in Mauritius, there are no street children without a family and without a roof, there are a number of children who are left on their own during the day and part of the night, without any parental control. They spend their time wandering around. Some even sleep in the streets and are prey to a number of social ills. The NGO is in close contact with about 175 children and trained street educators offer a pedagogical programme to enable them to acquire social and cognitive competencies. SAFIRE accompanies the child and offers guidance to ensure rehabilitation with the family, school and the environment. SAFIRE operates with funding from the private sector under their Corporate Social Responsibility programme.

268. There are NGOs offering psychological and counselling services for persons with suicidal tendencies.

269. The Mauritius Family Planning and Welfare Association (MFPWA) has a Youth Action Movement which organizes activities to sensitise young people in the community. The Youth Action Movement is also represented through a Youth Representative to represent the interests of the young people and adolescents on the Board and ensure that they are part of the decision-making process in designing and implementing youth programmes.

270. An Evaluation Committee has been set up, to assist NGOs in identifying viable projects, find appropriate partners and write the project in the format required.

Consultations for the preparation of the combined third to fifth periodic reports

271. Non-governmental organizations (NGOs) were invited by the Ministry of Gender Equality, Child Development and Family Welfare to participate in the preparation of the present report in January 2011. The necessary documentation to facilitate their participation was circulated to them. Working sessions were held to brief their representatives on what was expected of them. Clarifications were sought and representatives of the Ministry of Gender Equality, Child Development and Family Welfare responded to all queries made. Inputs from NGOs have been received and have been integrated in the report.

272. The Ministry of Gender Equality, Child Development and Family Welfare, as the Lead Agency, prepared a draft Combined Third, Fourth and Fifth Periodic Report covering period 2006 up to 2010, in line with the United Nations guidelines, with the assistance of a consultant, recruited for the purpose. The following methodology was adopted in the drafting of the report:

- A detailed analysis of inputs received was undertaken by the Consultant;
- Consultative meetings were held with NGOs and civil society organizations working for the overall welfare and benefit of children. NGOs were requested to submit inputs on their respective areas of intervention;
- Consultative meetings were held with all Ministries and Departments, who were briefed on the significance of the State Report on the Rights of the Child, their expected contributions to the successful writing of the Report, as per the guidelines of the Committee's Reporting format;
- Inputs were received from respective stakeholders. Information and data pertaining to children's health, education, social security, protection, youth and sports and other pertinent information were collected at the level of relevant Ministries/Departments in various sectors to reflect the situation of children in Mauritius and assess progress made on the enjoyment of the rights espoused by the Convention. Additional information and queries pertaining to issues related to the Convention were also sought from stakeholders whenever required;
- Statistical information has also been updated;
- The draft document was circulated amongst stakeholders, including civil society organisations; the views expressed have consequently been incorporated therein and validated;
- The Ministry of Fisheries and Rodrigues was also contacted with a view to take stock of progress made in Rodrigues Island as regards implementation of the Convention;
- The Written Replies made by the Government of Mauritius and the Concluding Comments, the General Guidelines for the preparation of the report, as well as the Second Periodic Report for Mauritius were circulated;
- Working sessions were held with the different Units of the Ministry to elicit views on the implementation of the Convention and clarifications on emerging issues were sought.

273. The Ministry secured the support and collaboration of Government Ministries/Departments and NGOs, for the preparation of the Report.

III. Definition of the child

274. Reference is made to paragraphs 109 to 141 of the Second Periodic Report of the Republic of Mauritius.

275. In the Child Protection Act – a “child” is defined as “any unmarried person under the age of 18”.

276. In the Interpretation and General Clauses Act, a “minor” is defined as “any unmarried person under the age of 18”.

277. In the Juvenile Offenders Act a “juvenile” means “a person under the age of 18”. A “young person” means “a person who has attained the age of 14 and is under the age of 18”.

278. The Employment Rights Act 2008 (Act No. 33 of 2008) which has replaced the Labour Act 1975 with effect from 2 February 2009 defines a “child” as “a person under the age of 16” and a “young person” as “a person other than a child, who is under the age of 18”.

279. Section 12(1) of the Act prohibits the employment of children whilst Section 12(2), provision has been made that no person shall employ, or continue to employ, a young person on work which by its nature, or the circumstances in which it is carried out, is likely to jeopardize the health, safety, physical, mental, moral or social development of the young person.

280. The Occupational Safety and Health Act 2005 (Act No. 28 of 2005) defines a “young person” as “a person who is above the age of 16 but has not attained the age of 18”. In line with Articles 3(d) and 4 of ILO Convention No. 182, Section 8 of the Act lists down the types of activities in which young persons should not be engaged in for health and safety reasons.

281. In the Insolvency Act 2009, the interpretation given to the term “relative”, in relation to a person include children. The term “relative”, in relation to a person means:

- (a) His parent, spouse, child, brother, or sister;
- (b) The parent, child, brother or sister of his spouse; or
- (c) A nominee or trustee of a relative.

282. In the Licensing of Recruiting Agents For Educational and Training Institutions Act, the term “minor”, in relation to a student, means a child or young person under the age of 18.

283. Section 3A of the Probation of Offenders Act was amended (vide, the Probation of Offenders (Amendment) Act 2009) in subsection (2), by deleting the words “under the age of 17” and replacing them by the words “a minor”. The Probation of Offenders (Amendment) Act of 2009 makes provision for a curfew requirement applicable to minors who have been placed on probation by the Court. This will compel them to remain indoors on specified days and time, the purpose being to restrict their movement, thereby controlling their propensity to get involved in delinquent activities.

284. Under the Child Protection (Amendment) Act 2008, a Child Mentoring Scheme is established to assist children between the age of 10 and 16 who are victims of neglect, who suffer from mild behavioural problems, or who are in distress, or have problems of social adaptation.

285. The Education Act has been amended making education compulsory up to age of 16 years.

286. The Community Service Order (Amendment) Act of 2009 provides for the possibility for a Magistrate to suspend a sentence of imprisonment for a minor aged 16 years and above, and make him the subject of a Community Service Order.

Table 1: Estimated mid-year child population by age group and gender, 2006-2007

Age-group (years)	2006				2007			
			Both sexes				Both sexes	
	Male	Female	Number	%	Male	Female	Number	%
0	9,257	8,759	18,016	1.4	8,727	8,255	16,982	1.3
1-4	38,806	37,704	76,510	6.1	38,212	36,933	75,145	6
5-9	50,040	48,311	98,351	7.9	49,883	47,912	97,795	7.8
10-14	53,960	52,957	106,917	8.5	52,387	51,902	104,289	8.3
15-17	32,285	31,205	63,490	5.1	33,405	32,040	65,445	5.2

Age-group	2006				2007			
	Male	Female	Number	%	Male	Female	Number	%
<18	184,348	178,936	363,284	29	182,614	177,042	359,656	28.5
All ages	619,243	633,455	1,252,698	100	622,926	637,477	1,260,403	100

Table 2: Estimated mid-year child population by age group and sex, 2008-2009

Age-group (years)	2008				2009			
	Both sexes				Both sexes			
	Male	Female	Number	%	Male	Female	Number	%
0	8,303	8,194	16,497	1.3	7,873	7,824	15,697	1.2
1-4	37,040	35,426	72,466	5.7	35,637	34,337	69,974	5.5
5-9	49,806	48,033	97,839	7.7	49,593	47,849	97,442	7.6
10-14	51,210	50,411	101,621	8	50,381	49,304	99,685	7.8
15-17	33,703	32,691	66,394	5.2	33,252	32,495	65,747	5.2
<18	180,062	174,755	354,817	28	176,736	171,809	348,545	27.3
All ages	626,556	642,009	1,268,565	100	629,157	645,875	1,275,032	100

Table 3: Children married below the age of 18

Age	2005			2006			2007			2008			2009		
	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total
Under 15	0	17		0	59	59	0	64	64	0	58	58	0	57	57
15				0	0	0	0	0	0	0	0	0			
16				0	171	171	1	127	128	3	164	167			
17				9	183	192	3	168	171	8	164	172			
15-19	143	1,429	1,572										160	1,266	1,246
Under 18	0	17		9	413	422	4	359	363	11	386	397			

IV. General principles (arts. 2, 3, 6 and 12)

Article 2

Non-discrimination

287. Reference is made to paragraphs 142 to 169 of the Second Periodic Report of the Republic of Mauritius.

288. The Equal Opportunities Act 2008, Act No. 42 of 2008) was enacted by the Parliament of Mauritius to promote equal opportunity between persons and prohibit discrimination on the ground of status (age, caste, colour, creed, ethnic origin, impairment, marital status), and by victimisation. Discrimination is prohibited on the grounds that a person has responsibility to care for a dependent child or that she is or likely to be pregnant. The Act has not yet been proclaimed. The Act will apply in addition to, and not in derogation of, the Training and Employment of Disabled Persons Act.

289. The prohibition of discrimination extends to employment, which includes contract of apprenticeship, to which persons aged less than 18 may subscribe, as well as access to

training. As regards education, The Act also provides that no educational institution shall discriminate against a person in deciding who should be admitted as a student, by refusing or failing to accept that person's application for admission, except as provided by the Act. The prohibition applies to access to sports activities as well. The Act further provides that no member of the staff of an educational institution shall sexually harass a student at the institution or a person who is seeking admission as a student, and that no student at an educational institution shall sexually harass another student.

290. The HIV and AIDS Act which was passed in 2006 and proclaimed in 2007 provides for a rights-based approach to HIV and AIDS-related issues, and aims in particular at protecting persons living with HIV and AIDS from discrimination.

291. The Civil Status Act was amended in order to allow marriages between a Mauritian citizen and a non-citizen who is HIV positive or has AIDS.

292. The Sex Discrimination Division of the National Human Rights Commission pursued its awareness raising campaign on sex discrimination and sexual harassment in schools, the private sector, banks, the Police Force Training School, social groups and women's centres in Mauritius and in Rodrigues.

Article 3

Best interests of the child

293. Reference is made to paragraph 170 of the Second Periodic Report of the Republic of Mauritius.

294. In cases of divorce, separation and adoption, the principle of best interests is mentioned in the law itself. The Code Civil Mauricien provides that "*s'il y a des enfants mineurs, le juge en chambre se prononce sur leur garde, ainsi que sur le droit de visite et d'hébergement, en tenant compte exclusivement de leurs avantages et de leurs intérêts.*" (Art. 242).

295. Article 353 of the CCM provides that the judge in chambers when pronouncing adoption shall verify if the law is respected and "*si l'adoption est conforme à l'intérêt de l'enfant.*"

296. The concept of best interests of the child is well known and applied by judges.

297. Section 5(b) of the Ombudsperson for Children's Act 2003 (OCA 2003) provides that the Ombudsperson for Children must "promote the rights and best interests of children."

298. In the new Children's Act, specific provisions regarding the principles of best interests of the child will be made.

Article 6

The right to life, survival and development

299. Reference is made to paragraphs 199 to 201 of the Second Periodic Report of the Republic of Mauritius.

300. The Abolition of Death Penalty Act was passed in 1995. All death sentences imposed before the Act were committed to sentences of penal servitude for life.

301. Figures on suicide rates among persons less than 18 show that for the years 2007 to 2009, the percentage of suicides which was 7.1%, in 2007, dropped down to 1.2% in 2008, but went up again in 2009 to 7.8%.

302. The number and rates of suicide by persons aged less than 18 are compiled by the Ministry of Health as part of their data collection mandate relating to causes of death.

	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010
As the result of crime (murder, murder of newly born child)	3	2	3	4	5

Table 4: Disaggregated data on deaths under 18 years

Underlying cause of death	2007			2008			2009		
	<18 Yrs	All ages	%	<18 Yrs	All ages	%	<18 Yrs	All ages	%
HIV/AIDS	-	58	0	1	50	2	-	33	0
Malaria	-	-	0	-	-	0	-	-	0
Tuberculosis	1	13	7.7	-	15	0	-	16	0
Hepatitis (viral)	-	4	0	-	8	0	2	7	28.6
Acute respiratory infections	15	142	10.6	11	126	8.7	15	237	6.3
Suicides	9	127	7.1	1	84	1.2	9	115	7.8

303. There are NGOs offering psychological and counselling services for persons with suicidal tendencies. Treatment for the prevention of suicides is provided by Ministry of Health.

304. The exact number of street children is not known. The NGO SAFIRE is actively working with them and is commissioning a qualitative study on the situation of street children in Mauritius.

Article 12

Respecting the views of of the child

305. Reference is made to paragraphs 202 to 213 of the Second Periodic Report of the Republic of Mauritius.

306. The Divorce and Judicial Provisions Act provides for statutory consultation of children above ten years but nothing is specified about younger children. Judges, can of course, decide to consult them in some cases. Section 18(3) of the said Act relating to orders for custody of children provides that “the Court shall have regard to the interests of the child concerned as the first and paramount consideration.” Section 18(4) provides that “in determining the interests of the child under subsection (3) the Court shall inquire into all the circumstances of the case and shall for that purpose hear the child if the child is above the age of 10 and capable of discernment.”

307. The fact that the term “shall” has been used makes it statutory for the judge to consult the child. Some judges have the experience and skill needed to respect those legal provisions fully. However, listening to a child is an art. Hearing what he says or refuses to say is even more difficult. There are professionals who are trained to practice such listening

skills. The Family Court could ideally have recourse to such professionals in order to really respect the rights of children.

308. The National Children Council reports that children's clubs operate mainly in deprived areas and in each club there is an Executive Committee comprising mostly of children Members and where the President is in fact a child, so as to ensure Child Participation. These clubs exist since 1998.

309. The National Children's Council operates a total of 23 Kids and Teens Clubs in Mauritius and Rodrigues and about 2600 children are enrolled. The main objectives of the clubs are to enhance the physical, mental, social and cultural development of the child and to carry out welfare, protection and development activities. These clubs are located mainly in deprived areas and regular recreational activities such as puppet Making, dancing creativity activities, indoor and outdoor games, paper craft and flower making are organised for them. They also participate in quiz competitions, storytelling and reading activities. Educational Outings are organised to various historical sites, educational centres and botanical gardens.

310. Talks and participatory workshops are regularly organised by the Child Development Unit to sensitise them on the Convention on the Rights of the Child, child abuse, including commercial sexual exploitation of children. Children are afforded the opportunity to express themselves.

311. The National Children's Council regularly delivers talks for the children in the Children's Clubs. During the year 2005/2006, around 18,500 children, adolescents and adults have been sensitized. 301 talks were held on the Convention on the Rights of the Child (CRC), CSEC, and Prevention of Child Abuse/Child Sexual Abuse, violence inside and outside home in Public/Private Secondary schools, in primary schools and in other organizations. Similarly talks were organized for some 332 teachers and 564 adults.

312. During the period 2007/2008, talks were organised for some 16,986 children and adults on:

- 184 talks on CSEC and Unsafe Sex reaching 6624 adolescents and secondary students;
- 208 talks on CRC and Child Protection reaching 7904 children in both primary and secondary schools;
- 85 talks on CRC, Child Abuse and Child Sexual Abuse reaching 2,458 parents, teachers and other adults.

313. During that same period, the Crime Prevention Unit delivered a talk on Crime and Deviance, Some precautionary measures were developed among the members of the club to fight successfully against this social ill.

314. Inter-active Programmes Group Discussions and Brain Storming sessions on HIV/AIDS are organised. In collaboration with the Aids Unit of the Ministry of Health, group discussions and brainstorming sessions were organised and special emphasis was laid upon safe sexual behaviour and prevention of HIV/AIDS for about 450 children members.

315. In 2008, the Indian Ocean Commission, through its *Observatoire des Droits des Enfants* project (ODEROI) with the support of the private sector carried out focus group discussions amongst youths aged 15 to 24 to determine their knowledge, attitude and practices concerning HIV/Aids and their mode of information. The research revealed that many youths had received scarce information on HIV/AIDS, they heard about it from friends or in the media and were still unaware of its mode of transmission and consequently they did not feel concerned. They rarely used any protective measure and lacked the aptitude and skills to adopt a healthy behaviour. The research came up with

recommendation, designed with the youths themselves, that parents should be empowered to be the primary source of information on sexuality and HIV/AIDS followed by teachers and religious leaders.

316. So as to provide parents with the required tools to talk about sexuality with their children, a guide has been prepared in the form of frequently asked questions and answers that parents may provide. The questions were gathered from youth themselves. The guide is being distributed to families and teachers.

317. In 2007, in the context of the 16 Days 16 Rights campaign, children were invited to write, in their language of preference, poems, script of songs, short stories, script for a sketch etc. Some children participated but there were difficulties to implement late in the year. The paintings of the previous Campaigns have been used to illustrate a little booklet on children's rights and in various workshops and TV programmes. They also received a lot of media coverage. This year some newspapers reproduced the writings of some children. In the 2007 campaign emphasis was placed on the responsibility of parents to ensure that children enjoy all their rights. The Mauritius Broadcasting Corporation has been a main stakeholder and presented a series of 16 five-minute programme on various aspects of the rights and responsibilities of children and of parents. Then coverage of the concert was produced with excerpts from the 16 programmes. These constitute essential tools for sensitisation in the future.

318. Since 2006, the World Poetry Day is organised on a yearly basis by the National Children's Council. Specific themes are elaborated each year and children are invited to express themselves in any of the different languages (English, French, Hindi, Marathi, Urdu and Creole). Best entries are rewarded.

319. Children are encouraged to enrol in clubs. There are around 2,300 children aged between 3 years and 18 years, in Mauritius and Rodrigues in the Children's Clubs run by the National Children's Council. The main objectives of these clubs are to enhance the physical, mental, social and cultural development of the child and to carry out welfare, protection and development activities.

320. In Rodrigues, there exist a number of child and youth organizations and children are actively engaged in group activities:

<i>Organisation</i>	<i>Number</i>	<i>Number of members</i>
Scouts	10	425
Youth Clubs	45	900
Action Catholique des Enfants	80	3,000
Jeunesse Ouvrière Chrétienne	40	400 (youth 15 and above)
Association des Ecoles Maternelles de Rodrigues	30	1,630
Youth Alive Movement (Action Familiale)	1	524

IV. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a))

Article 7

321. Reference is made to paragraphs 220 to 230 of the Second Periodic Report of the Republic of Mauritius.

322. In the concluding observations of the last report, Mauritius was encouraged to continue to ensure that declarations of births are dealt with in a more expeditious manner.

In this regard, and pursuant to Article 7 of the Convention, a fast track system is operational since July 2005 to deal with cases of tardy declaration speedily, with the collaboration of the MGECDWF, the Attorney General's Office, the Police, the Civil Status Office and the Ministry of Health and Quality of Life. From July 2005 to June 2010, the total number of undeclared persons amounted to 841, out of which 639 have already been declared. This fast track system to register undeclared births is still functioning. However it is of concern that not all cases have been attended to during that period.

Articles 13–15

323. Pursuant to Articles 13-17, the office of the Ombudsperson for Children has set up the network Budi's friends with children aged 12 to 17 years. A National Children's Forum has been set up to allow the Budi's friends to interact with other children from the Children's club of the NCC, the Scouts, the Guides, the Group Abaim, the *Centre d'Education et de Developpement pour Enfants Mauriciens*.

324. The Indian Ocean Child Rights Observatory (ODEROI) has set up a *Comité citoyen des jeunes de l'océan indien* (CCJOI) to provide children with the opportunity to express themselves and advocate on issues dealt with in the research reports produced by the ODEROI on the situation of youths. In March 2008, with the support of UNICEF, the ODEROI signed a Memorandum of Understanding with the national radio-television station, the Mauritius Broadcasting Corporation (MBC) for the daily production and broadcast of television programmes by youths and for youths. Between the period 2008 and 2010, youths aged between 10 and 18, members of the Comité Citoyen des jeunes produced about 225 television programmes on issues related to education, health, HIV/AIDS, smoking, teenage pregnancy, drug consumption, rights of the child and participation. A team of youths travelled in the 5 islands of the Indian Ocean and produced a series of 25 programmes on the mode of living, culture, education of youths in the five islands of the Indian Ocean in order to promote cultural exchanges and understanding. All programmes were broadcast at peak hours on television. Weekly radio programmes on the same themes were produced with live participation of youths.

325. The 16 Days–16 Rights Campaign, designed in June 2004, has gained momentum. From the beginning the Campaign was organised by the Ministry of Gender Equality, Child development and Family Welfare, the Office of the Ombudsperson and the National Children's Council. In 2006, the same format was kept and had as much response, the Ministry of Education and Human Resources playing a very important role in ensuring that all schools are made aware of the Campaign. Each time other stakeholders are invited to also organise activities to mark these two important dates and to strengthen the Campaign. Some local authorities and NGOs also organise events.

326. The SOS Children's village has set up children's councils which are meant to be an instance where children voice their views and give their inputs in matters of Children's Village life – activities, functions, etc.

Article 17

327. Reference is made to paragraphs 240 to 245 of the Second Periodic Report of the Republic of Mauritius.

328. As reported above, in 2008, the Mauritius Broadcasting Corporation acknowledged the importance of providing airtime for youths and signed a Memorandum of Understanding with the ODEROI and UNICEF to provide daily airtime for youths and promote the production of programmes by youths and for youths.

329. Pursuant to Article 17 of the Convention, to ensure that children are not at risk of the negative impact of the Internet, the Ministry of Information Technology and Telecommunications has set up a Committee comprising of different stakeholders as well as officers from the Ombudsperson for Children's Office to work out a Child Safety Online Action Plan.

330. The Child Safety Online Action Plan has made the following recommendations to further ensure that children are protected from exploitation and manipulation through the Internet as well as via the mobile phones:

- Public awareness campaigns;
- Safety measures for schools and public Internet access points;
- Best practices for Internet service providers;
- Child safety online legislation;
- Enforcement and reporting measures;
- International co-operation.

331. According to the Internet Child Safety Foundation (ICSF), in September 2007 in Mauritius, it has been found that less than 10% of parents monitored the websites visited by their children. Internet includes contents of an exclusive nature, meant for adult and until now, it has been difficult to block such contents for children. Children are thus exposed to a wide range of risks as they can access offensive and harmful content.

332. The lack of parental awareness on the outcome of unsupervised use of Internet by children is a major issue to be addressed. Parental supervision and guidance can help in minimising the risks it entails. Cases related to child safety are referred to the Police for investigation and to the Ministry of Gender Equity, Child Development and Family Welfare for the provision of psychological services.

333. The incorporation and harmonisation of all these laws under the proposed Children's Act will make it easier for the public to know all the laws regarding protection of the child. Legislation, of course, is not enough. Proper enforcement should be ensured for the real protection of all children.

334. In 2007, a study was carried out by the Internet Child Safety Foundation. Its objective was to ensure that Internet users were safe while accessing the super highway. It was found that less than 10% of the parents monitored the websites visited by their children. 73% of the respondents stated that there were no rules applied at home with respect to the time spent on the Internet. It may vary from 3 to 6 hours, which is quite significant for a child.

335. As at present, there are no specific legal provisions which deal exclusively with child online protection. However, there are laws which have been enacted in wider terms, and which do criminalize a number of activities which would fall under the definition of child pornography. These are: Section 251 of the Criminal Code. This is a provision criminalising the debauching of youth. It provides that "any person who offends against morality, by habitually exciting, encouraging or facilitating the debauchery or corruption of youth of either sex under the age of 18 shall be punished by imprisonment for a term not exceeding 10 years".

336. Section 86 of the Criminal Code (Supplementary) Act makes it an offence for any person to deal with obscene matters. "Obscene matter" has been defined in the Act as any obscene writing, drawing, print, painting, picture, poster, photograph, video tape, any data stored on a computer disk or by any other electronic means capable of conversion into a

photograph, or any other obscene object. The definition is very wide and electronic pornographic pictures or video tapes of children would fall under this definition.

337. In Sections 13, 14 and 15 of the Child Protection Act (CPA) 1995, provision is made to protect the child against any type of harm. Section 13(1) provides that any person who ill-treats or exposes a child to harm shall commit an offence. "harm" is defined in the act as including physical, sexual, psychological, emotional or moral injury. Section 13(2) further provides that any person who in an advertisement exploits a child by using him in such a way as is likely to cause in him, or in any child watching him, reactions which are contrary to morality or detrimental to psychological development shall be deemed to expose a child to harm.

338. Section 14(1) (a) of the Act provides that any person who causes, incites or allows any child to be sexually abused by him or by another person shall commit an offence. So this provision would cover a situation where a person lures or incites a child via the Internet for the purposes of sexually abusing of the child or having him sexually abused by another person.

339. Section 15 of the Act deals specifically with "Indecent photographs of children" "photograph" includes data stored on a computer disk or by other electronic means which is capable of conversion into a photograph. So the activities which have been criminalised in relation to indecent photographs of children are:

- Taking such photographs;
- Distributing such photographs;
- Having in one's possession such photographs with a view to it being published or shown;
- Publishing or causing to be published any advertisement with respect to the indecent photographs of children.

340. Penalties under the CPA are much higher than under the Criminal Code or the Criminal Supplementary Code.

341. Section 46(h) (i) of the Information and Communication Technologies Act criminalizes the transmission or reception of a message which is of a grossly offensive, indecent or obscene character. The offence is punishable by a fine not exceeding 1 million rupees or to imprisonment not exceeding 5 years.

342. To ensure that children can safely access the Internet and its valuable resources without fear of falling prey to unscrupulous predators in the cyberspace the Child Safety Online Action Plan was endorsed by Cabinet in January 2009. A Child Safety Online Bill is in preparation and the Ministry of Information and Communication Technology and the Monitoring Committee, comprising of officers from different Ministries are investing largely on the preventive aspect.

343. Awareness campaigns are being carried out among students in various schools all around the island to sensitise them about the risks that computer represent if not used as an effective tool. Awareness campaigns are also being carried out at the level of the community and media by the ministry concerned, and the non-governmental organizations, to make parents aware of their role and responsibilities towards their children while using Internet.

344. Filtering is being done at the level of public schools. As regards to private schools and public Internet access points there is need to provide for proper safety measures.

345. The National Cybercrime Prevention Committee has been set up under the aegis of the Information and Communication Technologies Authority to enhance the national approach to combat cybercrime as per the recommendations approved by the cabinet:

- (a) Improvement of the policy, legal and regulatory frameworks to adapt to international legal instruments and provide for proportionate and dissuasive sanctions;
- (b) Establishment of a mechanism to increase exchange of information on IT security and cybercrimes at local, regional and international levels;
- (c) Provision of a safe and secure environment to users, particularly children and young adults; and
- (d) Improved detection of and responses to cybercrime.

346. The Mauritian Computer Emergency Response Team, CERT-MU has been set up by the National Computer Board. Its mission is “to provide information and assistance to its constituents in implementing proactive measures to reduce the risks of information security incidents as well as responding to such incidents when they occur”.

347. With regard to the Child Safety Online Bill, the Ministry of Information and Communication Technology has submitted the drafting instructions to the Attorney General’s Office for the preparation of the appropriate legislation.

348. Children of the Children’s Club, in collaboration with the National Computer Board, also received a one day training session on computer for children. Around 75 children benefitted from the programme.

349. Pursuant to Article 37 (a) of the Convention, Family Welfare & Protection Officers (Child) and the Child Development Unit of the Ministry of Gender Equality, Child Development and Family Welfare are central players in the government’s response to child abuse and neglect and rather than just service providers, they are decision makers and case managers. They provide emergency protective services to children victims of violence by:

- Taking prompt actions such as effecting urgent site visits whether it be after working hours, at night time, during week-ends and public holidays;
- Interviewing the child, the parents, the neighbourhood, the classmate, etc.;
- Counselling victims as well as the parents;
- Assisting record of statements with the police;
- Assisting medical examination and police medical examination;
- Preparing for case conferences;
- Preparing social enquiry reports and attending courts;
- Assisting for alternative care (placement in shelters);
- Supporting clients with respect to social aid;
- Planning for follow ups and ensure that proper reporting in file to head office is done;
- Outreaching to those who do not turn up for appointment at outstations level;
- Networking on behalf/or assist in networking with support systems – e.g. NGOs, Ministries, etc.;
- Preparing follow up reports for head office and Ombudsperson’s Office;
- Responding to Hotlines on a 24 hr. basis, during holidays and week-ends.

350. They work in concert with other entities namely community members (Child Watch) who report suspected maltreatment, the Office of the Ombudsperson for children and the Court that decides outcomes in serious cases. The CDU/Child Protection service plans usually span a wide range of needs, encompassing family therapy, parent education, substance abuse treatment, emergency sheltering, housing referrals, cash assistance (children in distress scheme), respite child care, child therapy.

351. As per the Child Protection Act, the CDU follow a case for a minimum of one year. A child’s case file with severe/significant protection concerns stays alive thus until his/her maturity at 18 years.

352. The number of new cases recorded at the level of the CDU is about 5,000 yearly; leave apart the active follow-up that old cases necessitate.

353. Presently there are six sub centres at Child Protection Service level to cater for the whole island:

		<i>No. of Enforcement Officers</i>	<i>No. of Senior Enforcement Officers</i>	<i>No. of Support Officers</i>	<i>Coordinator to supervise</i>
FSB Flacq	Catering for the districts of Flacq and Moka	2	0.5	2 (one to accompany officer and handling of siblings and one to do registry)	0.17
FSB Rose Belle	Catering for Grand Port and Savanne	2	0.5	2 (same as above)	0.17
FSB Bell Village	Catering for whole of Port Louis	2	0.5	2	0.17
FSB Goodlands	Catering for Rivière du Rempart and Pamplemousses	2	0.5	2	0.17
FSB Phoenix	Catering for Lower and Upper Plaine Wilhems	2		2	0.17
FSB Bambous	Catering for the district of Black River	2		2	0.17

354. As reported in the Second Periodic Report, the Minister of Gender Equality, Child Development and Family Welfare suffers from the lack of technical staff to service its bureaus and follow up on all cases of child abuse.

355. In 2007, the Ombudsperson for Children prepared a kit on Violence against Children addressed to the personnel working in the education sector. The kit was launched by the Minister of Education and Human Resources on 24 September 2007. The aim of the kit is to provide teachers with basic information about violence against children, the consequences of such violence and also make them aware of some constructive disciplinary measures. Reference has been made to research done at international and national levels and the Convention on the Rights of the Child. The kit comprises the following:

- “Building a child friendly school”, and covers the following topics:
 - Characteristics of a child friendly school;
 - Factors contributing to violence in schools;
 - Types and definitions of violence in educational settings;
 - Impact of violence in educational settings;
 - Principles for constructive discipline;

- Promoting safety of children in educational settings;
- Some constructive discipline practices;
- “Ending Corporal Punishment in Schools”, and it provides information to the school personnel about the negative effects of corporal punishment and some guidelines to effective discipline. It covers the following topics:
 - The Human Rights imperative to prohibit all corporal punishment of children;
 - Corporal punishment of children is harmful;
 - Consequences of corporal punishment;
 - Seven principles for constructive child discipline;
 - Guidelines to effective discipline.

356. A guide on reporting and identifying child abuse. Teachers are given the signs and symptoms which they may observe on abused children, and also the “do’s and don’ts” when they are informed by a child he/she has been abused.

357. The Office of the Ombudsperson has produced two posters in collaboration with the Mauritius College of the Air to be used as tool to support the campaign on prevention of violence against children. One is on reporting child abuse and a second one on effective discipline. These posters have been sent to all primary schools.

Number of libraries accessible to children

In primary schools

<i>Zone</i>	<i>No. of Primary Schools</i>	<i>No. of schools with a separate room for the Library</i>	<i>%</i>
1	83	35	42%
2	75	35	47%
3	60	27	45%
4	43	23	53%
Total	261	120	46%

Note: All primary schools have made provision for a corner in each class for a Class Library.

358. The Class Library in a way palliates the lack of a separate room for a library in the school.

In secondary schools

359. There are 63 secondary schools and all are equipped with full-fledged libraries.

Public libraries under the Ministry of Education and Human Resources

360. There are 6 Public libraries which cater for the public in general (children as well as adults) and are located in the following areas:

Zone 1	Goodlands
	Grand Bay
Zone 2	Rose Hill
Zone 3	Mahebourg
	Riviere des Anguilles
	Rose Belle

Mobile library

361. The Bibliobus of the Ministry of Education and Human Resources normally caters for the 27 ZEP Schools (*Zones d'Education Prioritaire*). The two animateurs of the Bibliobus visit these schools on a rotation basis according to a set calendar. The main duties of the animateurs are to inculcate the development of a good reading habit in children from their very tender age. Thus they initiate the children on how to use books properly and how books are important for education, information, recreation and lifelong learning.

Article 37

362. Number of child victims who have received counselling and assistance in recovery, 2005-2009

Type of abuse	2005			2006			2007			2008			2009		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
Physical abuse	40	37	77	170	150	320	222	150	372	14	31	45	6	12	18
Neglect	4	22	26	7	36	43	-	1	1	9	19	28	4	13	17
Abandonment	1	6	7	3	5	8	8	5	13	2	3	5	1	9	10
Ill-treatment	1	8	9	-	1	1	-	3	3	18	14	32	-	-	-
Behavioural problem	79	156	235	41	108	149	40	50	90	519	458	977	25	27	52
Sexual intercourse under 16		96	96		127	127	-	127	127	-	-	-	-	12	12
Attempt upon chastity	8	58	66	16	88	104	11	73	84	-	-	-	-	-	-
Sodomy	8	11	19	13	7	20	17	11	28	-	-	-	-	-	-
Rape		15	15		30	30	-	28	28	-	-	-	-	-	-
Debauching youth			0	1	-	1	-	1	1	-	-	-	-	-	-
Absorbing noxious substances			0	5	33	38	10	35	45	-	-	-	-	-	-
Burns			0	5	4	9	1	2	3	-	-	-	-	-	-
Mendicity			0	-	2	2	-	7	7	-	12	12	-	-	-

Type of abuse	2005			2006			2007			2008			2009		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
Indecent assault		2	2	-	-	-	1	3	4	-	-	-	-	-	-
Not attending school		2	2	1	2	3	-	1	1	46	26	72	1	4	5
Absorbing pills			0	3	9	12	3	7	10	-	1	1	-		0
Attempt at suicide			0	-	6	6	-	7	7	-	-	-	-	-	-
Emotional and psychological abuse			0	2	9	11	5	6	11	24	29	53		2	2
Teenage pregnancy			0		3	3	-	-	-	-	3	-	-		-
Child labour			-	-	-	-	4	-	4	5	-	5		-	
Other		1	1	3	10	13	4	17	21	78	88	-	7	3	10
Total	141	414	555	270	630	900	326	534	860	715	684	1,399	44	82	126

V. Family environment and alternative care (arts. 5, 9-11, 18, paras. 1 and 2, 19-21, 25, 27, para. 4, 34 and 39)

363. Reference is made to paragraphs 257 to 307 of the Second Periodic Report of the Republic of Mauritius.

364. In line with the concluding remarks of the Committee of the Convention on the Rights of the Child, the Ministry of Gender, Child Development and Family Welfare is laying emphasis on the review of placement of children in Residential Care Institutions. The following actions have been taken:

- A Family Welfare and Protection Officer has been identified to monitor the Residential Care Institutions for Children and the individual situation of all the residents placed in the institutions;
- A close follow-up is being ensured of the children admitted in the institutions, whereby children are moved as rapidly as possible to other institutions or are returned to their biological families;
- Norms and standards are being prepared in line with the realities of Residential Care Institutions and provisions of the CRC.

365. As at January 2011, there are a total of 431 children placed in shelters and in different residential care institutions and 40 in foster families. With the agreement of the Ministry of Public infrastructure, National Development Unit, Land Transport and Shipping a building at Cap Malheureux has been retained to house a Shelter to relieve the load of residents at the existing shelter. In Rodrigues, in 2010, there were 27 children placed in shelters.

Table 6: Children deprived of family environment and placed in institutions, by age and sex, 2006-2010

Age group (years)	2006			2007			2008			2009			2010		
	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes
0-5	10	11	21	5	3	8	10	7	17	10	11	21	41	28	21
6-10	10	8	18	2	3	5	3	7	10	11	10	21	25	30	21
11-15	4	7	11	0	2	2	1	5	6	3	6	9	19	29	9
16-20	1	0	1	2	1	3	0	1	1	-	1	1	2	8	1
Total	25	26	51	9	9	18	14	20	34	24	28	52	87	95	52

Table 7: Children placed in probation hostel, 2005-2009

	2005		2006		2007		2008		2009	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
No. of Admissions	5	10	1	6	9	2	3	3	3	6
Age Group of Children	(12-17)		(12-15)		(08-15)		(12-17)		(10-17)	
Region										
Urban	2	8	0	5	7	2	2	2	0	4
Rural	3	2*	1	1	2*	0	1	1	3	2
Type of Crime Charge										
Child liable to be committed to an institution	2	8	1	4	0	1	2	0	1	2
Child beyond control	2	2	0	2	5	1	1	3	2	4
Attempt upon larceny	0	0	0	0	3	0	0	0	0	0
Mendicity	0	0	0	0	1	0	0	0	0	0
Larceny Night breaking	1	0	0	0	0	0	0	0	0	0

* Includes one from Rodrigues.

Article 5

366. Reference is made to paragraphs 257 to 262 of the Second Periodic Report of the Republic of Mauritius.

367. Pursuant to Article 5 of the Convention, in 2007, the Ministry of Gender Equality, Child Development and Family Welfare launched the National Parental Empowerment Programme to provide parents with skills and knowledge to enable them to cope better with family problems. The programme aims at enhancing the relationship between parents and children. It complements the case to case empowerment which is ongoing with parents whose children have been removed and can after a certain period of time, be returned to them. The programme content respects the spirit of the UN report. It touches not just on good parenting practices and parental responsibility but also on the causes and consequences of violence and child abuse. The parents are also taught to recognise signs and symptoms of child abuse.

368. A manual has been prepared to serve as the basis for the implementation of the programme. The manual covers the following topics: parenting under the rights perspective, the Convention on the Rights of the Child, the development, nutrition, health and safety, security, education, living values, networking and protection. A Steering Committee chaired by the Head of the CDU, with the trainers as members, pilots the Project.

369. In Rodrigues, the National Empowerment Foundation started a training programme for Child caregivers. Actually four persons are in the process of registering their nurseries- so far in Rodrigues young children were still looked after by a close relative.

370. Pursuant to Article 5 of the Convention, the Ministry of Gender Equality, Child Development and Family Welfare is putting a lot of emphasis on parental education, stressing on the roles and responsibilities of parents towards the upbringing of their children. In 2010, the Ministry has launched an extensive programme of *Ecole des parents* through all the welfare and community centres. Training of trainers sessions with officers of the Ministry who will be working on the project in various regions island-wide have already started. The course consists of 16 working sessions with interested parents twice per week over a period of 2 months. The Project is being replicated in various regions island wide and so far the Ministry has been receiving positive response in those areas where it has already been launched.

Article 19

371. The four major themes based on the Convention, namely Protection, Survival, Development and Participation, are operationalised at the level of the Ministry of Gender Equality, Child Development and Family Welfare through eight distinct programmes as follows:

- Child Protection;
- Emergency Protective Services;
- Hotlines;
- Follow up of cases;
- Crackdown Operations to deter truancy and loitering;
- Child mendacity cases;
- Reporting on cases to the Ombudsperson's Office;

Alternative Care:

- Shelters through Emergency Protection Orders issued by the District Courts;
- Charitable Institutions to cater for children under Committal Orders;
- Foster Care families to provide for substitute familial environment;
- Child Mentoring to cater for children who suffer violence because of mild behavioural problems;
- Regulating with respect to norms and standards to optimize on performance and level of service delivery;
- Monitoring of institutions;
- Periodic Review of placement of Children in institutions/shelters;

Commercial Sexual Exploitation of Children:

- Drop In Centre at Bell Village – a day care service;
- Impending Residential Care for CSEC victims and victims of child trafficking at Grand Rivière Nord Ouest;
- CSEC Board/Plan of Action/calendar of activities to deter and eliminate child prostitution;
- Capacity building of all those dealing with CSEC matters;

Institutions for the Protection and Welfare of Children:

- Early Childhood Development – Inspectorate system to monitor Crèches and Garderies for cohort 0-3 years<
- National Parental Empowerment Programme- Development of national parental programme and material/Resource centre for parents<
- Ecole des Parents island wide;
- Capacity building for trainers and caregivers;

Community Child Protection Programme:

- Community Child watch Committees for proximity surveillance and early detection/warning of children at risks;
- Area Child Protection Committees with institutional stakeholders at regional level to lessen institutional hurdles and expedite on sorting out child cases;
- District Child Protection Committees to provide fora where representatives of the parent ministry and stakeholders and civil society representatives meet to review and discuss the district child protection/development issues and encourage the development and ownership of ‘home grown’ child projects that respond to the specificity of the local areas;
- Case Conferencing on difficult cases at outstations’ level and with the Ombudsperson for children’s office;
- Ongoing development of Information, Education and Communication Campaigns (IEC) and material in child protection/ child development for general use.

372. The School Child Protection Club was launched on 2 September 2010. The project is described as a multi-staged holistic project which aims at initiating home grown protection clubs for children at the level of the school itself and protects children from school violence which includes gang fight between or among schools, bullying and also corporal punishment.

373. Basically, information, education and communication campaigns “tailored for the needs of students” will be developed and used. The objective is to empower children for the “creation of a violence-free and child-friendly environment conducive for the overall development of the child”. It is expected after thorough implementation of the project to:

- Develop a critical mass of people who are fully conversant with child protection issues;
- Inform teaching and non-teaching staff and students on Convention on the Rights of the Child (CRC), Children Laws, on the support services available for children in distress;
- Reduce the number of children suffering violence in silence;

- Develop among the children, teachers and non-teaching staff the know-how of disclosure of violence to lessen trauma and avoid secondary victimization;
- Also to develop a critical mass of child rights advocates within the school community on the whole;
- Better enforce the Child Protection Act for both teaching and non-teaching community who will learn their role as duty bearers to identify and report cases in the most appropriate manner for timely intervention, to promote early recovery and rehabilitation as appropriate.

374. For the year 2011, a maximum of 20 school child protection clubs will be set up. 10 primary and 10 secondary schools are already identifies for same.

375. The Ministry of Gender Equality, Child Development and Family Welfare launched its Community Child Protection Programme on 27 August 2007. This programme provides for the setting of a forum on a district wise basis to ensure community development with respect to child protection and welfare. Its main objectives are:

- To create awareness and opportunities for appropriate capacity building to people interested in the welfare of children;
- To encourage and enable prevention rather than reacting to cases of child violence and neglect;
- To provide for a surveillance mechanism to identify children at risk and victims of abuse;
- To arouse national consciousness at local levels through Child Watch networks on the problem of child abuse, neglect and violence against children;
- To encourage solidarity and a coordinated approach to the problem of child abuse;
- To better protect children against risks of degradation of international environment;
- To involve community action in the prevention of child abuse and rehabilitation of children, victims of abuse and neglect;
- To ensure better handling and monitoring of cases reported to the Ministry through case conferencing at Child Protection Service level and through Area Child Protection Committees that will feed into a National Child Protection Committee chaired by the Minister;
- To ensure that the community owns child protection projects and activities and also understand the notion of accountability with respect to violence against children;
- To allow for interface and mediation between service provider and service user;
- To enable timely evaluation of child protection policies;
- To inculcate a culture of non-violence as per the child-rights perspective within families and communities.

376. The main components of the programme are:

- The Community Child Watch to ensure early detection and reporting of child at risk cases. It consists of members of the Forces Vives and one representative

from the main Committee to act as link person. It meets on a monthly basis to report and review the handling of specific cases recorded.

- The case conference at the Child Protection Service level is held to review and monitor the handling of cases and to expedite as far as possible on cases to lessen trauma and trigger early rehabilitation of children victims of abuse and neglect. This involves the Child Welfare Officer, the Psychological, Senior Officers of the Ministry as well as the Police Officers working there to discuss cases at their level. The case conference is held every month during the Area Child Protection Committee to prepare specially for review of difficult cases. This Committee consists of representatives of various ministries concerned (education, social security, health, labour, justice) as well as the BPM, the regular police and the Probation service. Its objective is to ensure better collaboration and cooperation. The objective of case conferencing is to review and monitor the handling of cases, help in lessening trauma and trigger early rehabilitation of children victims of abuse and neglect.
- The Area Child Protection Committee to ensure better collaboration and coordination in the handling of cases. The Committee comprises representatives of the Ministry of Health and Quality of Life, Ministry of Education and Human Resources, Ministry of Social Security, National Solidarity and Reform Institutions, the State Law Office, Ministry of Labour, Industrial Relations and Employment, the Police, the Probation, *La Brigade pour la Protection des Mineurs*. It is chaired by the Head as well as the Coordinators of the CDU and takes place on a two month basis.
- The District Child Protection Committee to take cognizance, review and monitor Child Protection issues at their level. It meets on a two months basis to advise on child protection issues for the district. It also helps in the sensitization on child protection.
- The National Child Protection Committee comprising high level officers of Ministries/stakeholders in child protection and child development matters. This Committee is chaired by the Minister/Permanent Secretary and is held on a quarterly basis. The CCCP aims to ensure that child abuse and neglect cases are detected and that every stake-holder is playing its role. It is based on the principle of decentralisation and is set up on a district wise basis to ensure community development with respect to child protection and welfare.

377. All the District Child Protection Committees have already been launched. These Committees are composed of members of NGOs, NCC, PTAs, local authorities, religious bodies, Forces Vives and Citizen's Advice Bureaux. They meet every two months and advise on child protection issues in the district. A resource person has been conducting capacity building for the members during the last four months. Local institutions are playing their role fully and most of the time they facilitate meetings by putting community rooms at the disposal of the organisers of the meetings. Two batches of capacity building training have been completed.

378. Talks and other inter-active sessions were held on CRC, CSEC, Prevention of child Abuse, Child Sexual Abuse, Violence inside and outside home in Public/Private Secondary Schools and other organizations:

- 192 talks/Interactive sessions of the Convention on the Rights of the Child and on Protection from violence within and outside home where 4,584 students/pupils and 210 teachers were reached;

- 175 talks/forum/discussions were held on Commercial Sexual Exploitation of children (CSEC) and unsafe sex 5,315 students and 227 teachers were sensitized;
- 81 talks/Interactive sessions on Parental Empowerment were held reaching 528 parents;
- 98 talks/Interactive sessions on Child Sexual Abuse and Teenage Pregnancy reaching 3,998 adolescents.

379. Some preparatory working sessions were held with representatives of the *Bureau d'Education Catholique*, Ministry of Education and some private schools to discuss how the IEC Campaigns on the Child Protection, Prevention on Child Abuse and Commercial Sexual Exploitation of Children and the United Nations Convention on the Rights of the Child were to be conducted. The objectives of the campaign are:

- To promote the CRC and the Child Protection Act;
- To sensitise the Students of both Primary and secondary School on Child protection and the Rights of Children as per CRC;
- To work on the prevention of Child Abuse and CSEC (Commercial Sexual Exploitation of the Child).

380. Two Participatory Workshops were held on the UN Convention and Child Protection, the first one on 19 February 2010 at Sir Claude Noel Government School L'Escalier Primary Schools where 90 pupils were reached and the second workshop on Protection from Child Abuse was held on 25 February 2010 at Port Louis State Secondary School where some 83 students were reached.

381. The SOS Children's Village runs the Family Strengthening Programme which is an outreach community-based programme. It addresses the root causes of child abandonment by empowering families to properly care after their children. It is intended mainly to needy families in disadvantaged locations to strengthen them, facilitate the development of their localities, and fulfil their parenting responsibilities and their children's needs. The programme services include: education, family counselling, group therapy food assistance, advocacy, sensitisation and referrals to specialised institutions. In 2010, the Children's village worked with 800 children through this programme.

382. The Mauritius Family Planning and Welfare Association conducts Family Life Education Programmes in schools for primary and secondary school students with the support of a pool of trained teachers and in collaboration with the Government Teachers Union. The sessions include information on Children's Rights and Responsibilities. The Association regularly conducts peer educators training among the youths. Teachers in primary and secondary schools have been trained to support the programme of the Association in schools and in the community. Since 2011, the Association has modified its curriculum on family life education to include a module on violence.

Table 8: Expenditure on programmes and activities for the prevention of and protection against child abuse, sexual exploitation and labour (Rs)

	2005/06	2006/07	2007/08	2008/09 July-Dec. 2009	2010	2011
Child Development Unit	10,805,000	12,720,000	22,050,000	54,829,000	27,550,000	61,665,000
National Children Council	5,200,000	5,200,000	6,700,000	7,700,000	4,900,000	9,000,000

	2005/06	2006/07	2007/08	2008/09 July-Dec. 2009	2010	2011
Ministry (Total)	130,560,000	139,815,000	147,172,000	188,300,000	141,515,000	304,220,000

Article 20

383. Reference is made to paragraphs 290 to 292 of the Second Periodic Report of the Republic of Mauritius.

384. The SOS Children's Villages offers family-based care for children who have lost their parents or who cannot be raised in their biological family. This care takes each individual child's past, needs and abilities into account and provides stable, reliable relationships and individual support for children until they become young adults. In 2011, there are 161 children living in the Children's Villages under the Family Based Care Programme. These children receive alternative educational system and pedagogy, The SOS Children's village has also launched in 2010, a fun-learning Basic Multi-literacy Course and innovative Kinesthetic Lettering methodology blended with an e-tutoring linkage. This program is sponsored by the Ministry of Gender Equality, Child Development and Family Welfare. Children who have missed education prior to their admission to SOS and others who are physically and mentally challenged attend specialised education.

Article 21

385. Mauritius has acceded to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption 1993 since 28 September 1998, but this Convention has still not been fully domesticated. The National Adoption Council has been designated as the Central Authority under The Hague Convention and a new Adoption Bill is being worked upon by the Prime Minister's Office in collaboration with the Ministry of Gender Equality, Child Development and Family Welfare and the Attorney General's Office so as to comply with the Convention. The new law will regulate all the three types of adoption in Mauritius, that is, adoption of Mauritian children by foreigners, adoption of foreign children by Mauritian nationals and adoption of Mauritian children by Mauritian nationals except intra familial cases.

386. New adoption procedures will be in strict conformity with the Hague Convention as follows:

- Clearly establishing that a child is adoptable;
- International adoption will be resorted to only after having given due consideration to local adoption;
- Consideration is given to the child wishes and opinion, depending on his/her maturity;
- The full consequences of adoption are understood by persons concerned;
- Consent is given freely without any inducement or compensation of any kind;
- Applications will be lodged at the level of Central Authorities which will keep database of adoptable children and will do the matching;
- There will not be any contact between biological and adoptive parents.

387. Local adoptions are still being done on a purely "private basis" with applicants for adoption still not being systematically the subject of a full enquiry and children being "found" without any kind of control. International adoption has slowed down. International adoptions of children both in terms of foreign children by Mauritian citizens and Mauritian children adopted by foreigners tend to slow down. as indicated in the tables below:

Table 9: Foreign children adopted by citizens of Mauritius, by year, sex and age

<i>Age</i>	<i>Gender</i>	<i>Year</i>				
		2006	2007	2008	2009	2010
0-5 years	Male	1	1	1	1	3
	Female	4	2	1	1	-
5-10 years	Male	1	-	1	-	-
	Female	1	-	-	-	-
10-18 years	Male	-	-	2	-	-
	Female	-	-	-	-	-
Total		7	3	5	2	3

Table 10: Children adopted by foreigners, by year, sex and age

<i>Age</i>	<i>Gender</i>	<i>Year</i>				
		2006	2007	2008	2009	2010
0-5 years	Male	5	3	5	2	3
	Female	4	6	7	9	4
5-10 years	Male	-	2	-	-	-
	Female	-	3	-	-	2
10-18 years	Male	-	-	-	-	-
	Female	-	1	2	-	-
Total		9	15	14	11	9

Article 25

388. Reference is made to paragraphs 302 to 305 of the Second Periodic Report of the Republic of Mauritius.

389. Children are removed from the biological family only as last resort and are temporarily placed in a place of safety and security. Though, the ultimate objective of the Ministry is to re-integrate these children in their respective biological family arrangement for same is not always feasible. The officers of the Ministry have the responsibility to provide support to both the biological parents/relatives and children to foster their rehabilitation and return. This exercise is very slow because of lack of human resource for its implementation and no specific officer earmarked for this activity.

Article 34

390. A Protocol of Assistance to Victims of Sexual Assault is operational since March 2006. The purpose of the Protocol is to ensure prompt and timely assistance to victims of sexual assault. In line with the provisions of the Protocol, the Ministry of Gender Equality, Child Development and Family Welfare is informed of the case by the Police on Hotline 119 (operational on a 24-hour basis) and arrangements are made for psychological assistance and legal counselling to be provided to the victims.

VII. Basic health and welfare (arts. 6, 18, para. 3, 23, 24, 26 and 27, paras. 1-3)

Children with disabilities

391. Reference is made to paragraphs 308 to 327 of the Second Periodic Report of the Republic of Mauritius.

392. Pursuant to Article 23 of the Convention, the Ministry of Social Security provides special services to children with disabilities, while the Ministry of Education ensures that children with disabilities have access to education. In 2010, 60 children with disabilities were attending regular schools, 966 were attending special schools and 705 were in day care centres. Dance, music, yoga, swimming, sports and massages are used for physical and psychological rehabilitation. In view of the lack of professional therapists, semi-benevolent persons in the respective fields run most of these activities. Group and individual therapy sessions are run by professionals on a part time basis.

393. Trained teachers assess children with learning disabilities under the supervision of professional therapists. Both individual and group remedial programs are set up. Other pupils have been referred to external professionals for further assessment (speech and physiotherapists, psychologists) or to other institutions. Special living skills programs for children from under privileged families are set up on a short-term basis.

394. The Special Educational Needs Society (SENS) is constantly campaigning for the training of appropriate numbers of special needs teachers and therapists. It aims at the setting up, by all those responsible for education, of the necessary facilities for all exceptional children. It will continue requesting easy access to special needs services in all schools in Mauritius and Rodrigues, whether public, confessionnal or private. Its objective in the coming years is to continue defending the rights of children with special educational needs.

395. The Ministry of Education and Human Resources encourages NGOs to organize specific workshops/seminars and other activities aimed at enhancing the quality of services for the children with special needs.

396. Adolescents living in the SOS Children's village are initiated to various trades in the Vocational Educational Training programme. In 2009, they were trained in modules in wood work, electricity, painting, plumbing, mixed farming and pastry. The programme has been beneficial to the children as many of them are developing interest in technical fields. The programme also provides activities that help the children in building self-esteem. Some children have really developed a vocation in their respective fields of activity and are now either attending professional and technical classes or earning a living. This year, we are extending activities to children from FSP and the community.

397. The Equal Opportunities Act 2008 was enacted by the Parliament of Mauritius to promote equal opportunity between persons and prohibit discrimination on the ground of status (age, caste, colour, creed, ethnic origin, impairment, marital status), and by victimisation. Discrimination is prohibited on the grounds that a person has responsibility to care for a dependent child or that she is or likely to be pregnant.

398. Mauritius signed the United Nations Convention on the Rights of Persons with Disabilities in September 2007 and is committed to upholding and applying its provisions. Government has come up with a Policy Paper and Plan of Action on Disability which contains a series of measures relating to health, education, training, employment, human rights, sports, leisure, transport, communication and accessibility. Mauritius ratified the Convention on the Rights of Persons with Disabilities on 08 January 2010.

399. The Training and Employment of Disabled Persons Act 1996 aims at preventing discrimination against disabled persons resulting from or arising out of their disability. The object of the Training and Employment of Disabled Persons Board set up under the Act is to prevent discrimination against disabled persons and to encourage the establishment of appropriate vocational centres and other institutions for the training of disabled persons. It is an offence for employers to discriminate against disabled persons in relation to advertisement and recruitment for employment. Other laws catering for the needs of persons with disabilities include the Building Act (accessibility to public buildings), the Road Traffic Act (special parking slots and free provision of parking coupons for disabled persons) and the Sports Act (sports activities for disabled persons). Steps have been taken to make voting procedures disabled friendly.

400. The Mental Health Care Act, which was passed in 1998, provides for patients with mental disorders to be admitted to mental health care centres on a voluntary basis without a Magistrate's order. Any patient who is ordered to be admitted to a mental health care centre (against his will) has the right to appeal to a Mental Health Commission. Patients suffering from mental disorders and their next of kin are informed of their rights and freedoms (as prescribed in a Schedule to the Act) in a language which they understand.

Article 24

401. Reference is made to paragraphs 328 to 351 of the Second Periodic Report of the Republic of Mauritius.

Infant and child mortality

402. Infant mortality rate stood at 15.3 deaths per 1,000 live births. The major causes of infant mortality were congenital anomalies (19.8%), slow foetal growth, foetal malnutrition and disorders related to short gestation and low birth weight (10.9%) and infections specific to the perinatal period (8.1%).

403. The implementation of the Expanded Programme on Immunization has resulted in the eradication of polio, diphtheria, whooping cough, and tetanus and in the control of measles, hepatitis B and TB. Current vaccination levels are sufficient to ensure widespread immunity. The new Haemophilus Influenza Vaccine (Hib) was added to the EPI package in 2006. In 2007, the immunization coverage for BCG was 89.2%, DPT (3rd dose) 87.3%, polio (3rd dose) 87.3%, MMR (measles/ mumps/ rubella) 90.0% and TT coverage for pregnant women (2nd dose or higher) 82.1%. Immunization performed in the private sector, which is not included in the above-mentioned figures, is estimated to be around 8.0%.

404. The Ministry of Health & Quality of Life intends to eradicate or contain all infectious diseases at their present level, so that the good performance of the EPI programme is sustained. The preventable causes of neonatal morbidity and mortality are also addressed.

405. Maternal and Newborn Health Services has led to declining maternal, infant and neonatal deaths. However, there is strong concern about late reporting of pregnant women for first antenatal care in the primary health care facilities. Ministry of Health and Quality of Life has provided the necessary services and will continue to do so in order to reduce maternal and newborn morbidity and mortality. The objectives are to reduce maternal mortality rate from 37 per 100,000 live births to 25. The services provided by Government are working towards increasing the percentage of first attendance for ANC in the first trimester of pregnancy from 23.8% to 85%.

406. Neo-natal ICUs are operational in 2 Regional Hospitals and essential equipment for survival of small and low birth weight babies has been installed in other hospitals. One fully equipped neonatal unit will be operational this year in the Jawaharlal Nehru hospital as soon as training of staff has been completed.

407. Two additional incubators and three neonatal ventilators have been procured by the Ministry of Health & Quality of Life. Electronic weighing scales for accurate weight monitoring of babies in well baby clinics have been distributed to all health service points in Mauritius and Rodrigues.

408. The Ministry will introduce Rota virus Vaccine in its expanded program of Immunisation to reduce the morbidity and mortality due to gastroenteritis.

409. Children between the ages of six months to two years, and those at risk (asthma, chronic respiratory illness, HIV positive, following treatment for cancer) will be vaccinated against influenza this year, free of user cost.

410. A study on causes of low birth weight in newborns has been completed and its recommendations will be implemented.

Medical assistance and health care

411. Increased and easy access to health care is provided to adults and children free of user cost through a network of 142 primary health care centres, 5 Regional hospitals and 4 specialised hospitals in Mauritius, and 1 Hospital and 16 primary health care centres in Rodrigues. New infrastructure has been added where necessary and hospitals and health facilities are constantly being renovated. Each health service delivery point is within a radius of 1.5 to 3 km of a place of residence, and is easily accessible, catering for a minimum of 8,759 inhabitants.

412. A comprehensive service is being provided for children with Type I diabetes. Paediatric diabetic management is available in all Regional Hospitals which can also deal with emergency conditions like diabetic ketoacidosis. Both patients and parents are provided with diabetes education to achieve excellent control of blood sugar to avoid or to retard progression to complications. Government is offering free glucose meters and test strips to all children with Type I diabetes, and is also providing the latest insulin analogues to these patients.

413. All paediatric admissions in hospital can be accompanied by the mother or a carer. A separate fast track for children has been instituted at all regional hospitals.

414. Ante and postnatal care is provided free of user cost to all pregnant women through a network of primary health care centres, community, district and regional hospitals. All women have access to these health facilities.

415. All children are born in hospitals, either private or public, excepting rare episodes when a mother is delayed on the way to a hospital.

416. All personnel are trained in hospital care and delivery. Nurses and midwives follow a course in nursing and midwifery and are registered as such before working in hospitals. In 2009, analysis of Breastfeeding practices for infants at 14 weeks showed that 48.1% were being exclusively breastfed and 41.8% of women were breastfeeding their infants but were also using breast milk substitutes, while 10.6% had stopped breastfeeding altogether.

417. Health care for children from preventive to primary, secondary and tertiary care, and high-tech medical care, is provided free of any cost, at all health service points in the public sector. Those who cannot be treated locally are sent overseas for treatment. Depending on social status of parents, financial support is provided.

418. Child Health Services are provided through a network of:

- 5 Regional Hospitals;
- 2 District Hospitals;
- 2 Community Hospitals;
- 21 Area Health Centres;
- 115 Community Health Centres;
- 2 Medi-Clinics;
- 142 Maternal and Child Health Clinics;
- 2 Neonatal Intensive Care Units;
- 53 Dental Clinics.

419. Child Health Services are also provided in Rodrigues and Agalega.

420. Child Health Services, include amongst others:

- Curative Care, i.e., treatment of common diseases and injuries;
- Prenatal Services delivered to pregnant mothers, where there is a close monitoring of the child before birth;
- Expanded program of Immunization which includes vaccination against the common infectious diseases of childhood;
- School Health Program;
- Dental Care.

421. A number of laws and regulations have been initiated by the Government in order to protect the health of children. These include:

- Regulations to ban advertising, promotion and sponsorship of both alcohol and tobacco products, and to significantly reduce exposure to second-hand smoke. Action has also been taken to ban the sale of cigarettes and alcohol both to and by minors. These Regulations have been in force as from 1 March 2009.
- Regulations to ban soft drinks in all educational institutions, as these drinks contain excessive amounts of sugar, and are responsible for weight problems and dental cavities later in life. The sale of soft drinks has been prohibited in all educational institutions since January 2007.
- New regulations to control the sale of foods sold in school canteens. Surveys have shown that Mauritian children and adolescents have wrong eating habits, which have to be corrected at an early age, and in the impressionable years of childhood. It was with this objective that a control on sale of foods sold in school canteens has been put in place since January 2010.

Prenatal and postnatal health care for mothers

422. Government has implemented programmes towards a strengthened and sustained Maternal and Newborn Health Services and referral systems for Emergency Obstetric Care (EmOC) and Post Natal Care (PNC). Area Health Centres will be equipped with echography machines for early diagnosis and follow up of pregnant women attending for antenatal care during the current year. Specialist Gynaecology and Obstetrics services are offered once a week at all Area Health Centres and mediclinics.

Access to health education

423. Educational material for better pregnancy management has been prepared in the form of a DVD on antenatal care and distributed:

- (a) Training of staff in counselling for breastfeeding is on-going.
- (b) Pursuant to Article 24(e), of the Convention Educational materials on breastfeeding for mothers and family members have been prepared and distributed.
- (c) Pursuant to Article 24(e), of the Convention an educational film on bullying and violence in schools has been prepared and will be disseminated to schools.
- (d) Good practice guidelines on injury prevention are under preparation.

Breastfeeding

424. The results of the 2002 Contraceptive Prevalence Survey (CPS) show that although 91.2% of infants had been breastfed for at least short periods of time, only 21.4% of them were initiated to breastfeeding during the first hour after birth and 56.4% between one hour and the end of the first day. The mean duration of breastfeeding was found to be 13.6 months in 2002, although it is recommended that breastfeeding should continue until the age of two years or beyond. The Ministry of Health has continued to advise mothers that this duration is too short since it is recommended to exclusively breastfeed in the first six months of life. Ministry of Health has conducted training health personnel in counselling, promotion and management of breastfeeding. The objectives set are: to increase the percentage of new-borns being initiated to breastfeeding within the first hour from 21.4% to 40% and to increase the percentage of new-borns being exclusively breastfed in the first six months from 18.3% to 25%.

425. Programmes continue delivering/distributing IEC messages for education of communities on the value of good childhood nutrition for a better reproductive health, especially for girls; and sensitizing communities on good parenting, both for optimal psycho-social development and for the prevention of physical, sexual and psychological abuse.

426. Teachers will continue to be trained for the detection of physical, sexual and psychological abuse and provide support for the victims and their families; and recruiting and training social workers for the management and referral of victims of physical, sexual and psychological abuse.

427. The following programmes are on-going: strengthening/maintaining the implementation of the school health programme for health education and screening; implementing School Health Programme for health education and screening in paid private pre-primary and primary schools; and increasing the number of institutions providing shelter, medical care, including PEP, psychological support for victims of physical and sexual abuse.

428. The National Sexual and Reproductive Health Strategy & Plan of Action 2009-2015 has been adopted and is being implemented by the Ministry of Health and Quality of Life. Programmes have been implemented for educating in and out of school adolescents, youth and especially girls on the possibility and advantages of delaying onset of sexual activity and on responsibility to their fertility, the dangers of early sexuality, unsafe sex, STI/HIV/AIDS and unplanned pregnancy and the after effects of abortion. The MoH will strengthen counselling at health centres on responsible parenthood; educating parents and communities on the prevention of unplanned pregnancies and dangers of abortion.

429. The Ministry of Youth and Sports responded to the lack of accurate information and life skills based education being provided to adolescents through institutions, such as, the family, the educational system and the community in general. It mounted programmes to address the issue of negative peer pressure that may lead adolescents and young people to engage in high risk behaviours, which in turn may cause them serious health concerns.

430. NGOs such as Mauritius Family Planning and Welfare Association and Action Familiale have implemented programmes for in and out of school children aiming at providing young people with accurate information, skills, counselling and user friendly services in order to attain quality sexual and reproductive health.

431. Young people (10-24 year olds) are becoming sexually active at an increasingly earlier age. According to the 2002 CPS report, 10.9% of adolescents (women aged 15-19 years) have already started childbearing. In 2007, 10.6% of all live births occurred in Mauritius were to women aged 15-19. This is a major concern since more complications are associated with births among women below the age of 20 years.

432. Although knowledge of at least one method of contraceptives among women aged 15-19 years is high (95.7%), teenage pregnancy is reported to be on the rise. However there is still an unmet need for information, education and SRH services for adolescents and youth.

433. The Ministry of Health is continuing its programmes aiming at increasing demand and utilization of Youth Friendly Health Services (YFHS) and Family Planning services. The objectives are: to increase the number of users of YFHS from 6000 to 34,600 and current users of contraceptive methods among young people aged 15 to 19 years from 4%

to 7% as well as to increase use of condoms among young people for HIV prevention from 4% to 25%.

HIV/AIDS and the rights of the child

434. Reference is made to paragraphs 376 to 383 of the Second Periodic Report of the Republic of Mauritius.

435. Mauritius has a low general prevalence of HIV, with an estimated rate of 0.97%. However, the epidemic is concentrated among certain high-risk groups such as injecting drug users and people who indulge in risky sexual practices. Since the beginning of the epidemic, 36 children have been recorded to be born HIV positive. Of these children, 8 were born before the introduction of the Prevention of Mother to Child Transmission Programme (PMTCT). Since 1999, when PMTCT was introduced, 23 babies have been infected with HIV by their mothers. Of these 21 were infected because their mothers did not follow the PMTCT, while two (2) were infected in spite of PMTCT.

436. All pregnant women are offered HIV testing in the public sector. A small percentage of women who follow ANC only with private doctors are not screened for HIV. The overall testing coverage is estimated at 95%. HIV positive pregnant women are given PMTCT free of user charge; they are delivered by Caesarean Section and the babies are followed up, tested, and given infant formula by the Government. All these services are budgeted for within the National Strategic Framework for HIV and AIDS, which is funded by the Government.

437. The HIV and AIDS Act was passed in 2006 to provide for measures for the prevention and containment of HIV and AIDS. In order to protect the right of the child, this law provides for HIV counselling and testing to be carried out on a minor only with the informed consent of the legal administrator or guardian. On the other hand, testing being a prevention measure, to grant access to minors to testing facilities, the law allows a person to undertake an HIV test on a minor without the consent of his legal administrator or guardian where the minor makes a written request for such a test and that person is satisfied that the minor understands the nature of his request.

438. Since January 2010, as a Multi-Sectoral Response to HIV/AIDS, Mauritius is implementing various projects from the grant received from the Global Fund for the fight against HIV/AIDS through the National Aids Secretariat (NAS). The goal is to prevent new infections and provide comprehensive care to all People Living with HIV/AIDS so as to reduce the impact of the epidemic on individuals, families, communities and society at large.

439. Besides on-going sensitization campaigns organized at the level of women centres across the island, the National Women's Council, operating under the aegis of the Ministry of Gender Equality, Child Development and Family Welfare is the entity implementing the project relating to HIV/AIDS submitted under the Global Fund, since May 2010.

440. Activities under the project are geared towards Behaviour Change Campaigns, community outreach for vulnerable women, through intensive and continuous social mobilization and advocacy to empower women on HIV/AIDS and substance abuse prevention in a gender sensitive manner. The objective is to reduce transmission of HIV by empowering vulnerable women with access to gender sensitive, reproductive health and HIV and AIDS services and other vulnerability factors among marginalized communities. The project is being implemented using a three-pronged approach, namely Prevention,

Treatment and Reduction of stigmatization. In order to successfully implement the project so that it benefits a maximum number of people, advocacy committees have been set up at the Municipal/District/Village Council levels. Advocacy Committees are empowered with skills to carry out sensitisation programmes with different groups of the population, with particular emphasis on the youth. Under this project, Advocacy Committees would conduct workshops aimed at:

- Reducing the transmission of HIV by empowering vulnerable youth and women, and addressing HIV/AIDS socio-economic and other vulnerability factors among marginalized communities;
- Creating an enabling environment to fight stigma and discrimination against Injecting Drug Users (IDUs)/People living with HIV/AIDS (PLWHAs), and for sustained behaviour change to promote delivery of HIV/AIDS services;
- Facilitating the promotion and distribution of condoms.

441. These advocacy committees use Community dialogue with the support of People Living with HIV/AIDS to achieve the civil society objectives of advocacy, communication, sensitization and mobilization (ACSM) for HIV/AIDS. The committees are composed of local gate keepers like headmasters, school principals, religious leaders, private business leaders, councillors, leaders of youth (scout masters), women and men's groups and associations e.g. fishermen's association, leaders of women and youth wings of faith based groups, and representatives of Trade Unions and workers. 5 Municipal Council Area Committees, 20 Municipal Wards Committees, 4 District Council Area Committees and 124 Village Council Area Committees making a total of 153 advocacy committees have been set up.

442. The communications strategy, focused on advocacy to leadership at all levels, and social mobilization targeted at all societal groups would be done to create an enabling environment so that difficult service delivery issues like methadone, needle exchange points, condoms in prisons and IEC and condoms in higher institutions can be delivered.

443. The project makes provision for the setting up of a similar mechanism in Rodrigues by taking into account specificities of the island.

444. A Child Feeding Programme has become operational in June 2010 in Rodrigues, under the financing of Global Fund to AIDS, Tuberculosis and Malaria. Under this programme, 200 vulnerable children who are currently attending Primary schools at CPE Level are being provided with one daily meal. The objective of this programme is to help those children to have their basic necessities like food, school materials and clothing. The programme helps in the education as well as the growth of the child.

445. The Monitoring & Evaluation Department of the MFPWA has carried a survey in December 2010 on Street Children in Rodrigues whereby the results will be validated in the coming days, and one of the objectives of this operational research is to target children in Rodrigues who need the benefits/allowances of the Child Feeding Programme.

446. In spite of free medical care, almost 100% hospital delivery, a wide coverage of vaccination and a strong primary health care structure, babies are still being born HIV-positive due to several factors:

- Most of the HIV positive pregnancies are among the Most at Risk Populations (MARPs) such as Injecting Drug Users and Commercial Sex Workers;

- There is poor adherence to treatment. Babies are lost to follow-up; often they are handed over to grandparents or relatives who are not informed of their HIV status;
- A small percentage of high-risk pregnant women refuse HIV testing;
- Pregnant women from the MARP group do not attend Ante-natal Clinics at times, and are admitted to hospital at the time of delivery;
- Babies are lost to follow-up for the above-mentioned reasons, with the result that their vaccination schedules are disrupted. Children who are HIV positive are at times subjected to stigma and discrimination.

447. The National AIDS Secretariat has, as part of its mandate, the protection of the Rights of the unborn child to be free of HIV. The Coordinator works in close collaboration with the Ministry of Health and Quality of Life in order to ensure that PMTCT coverage and follow-up of children are increased. Strategies have been designed to trace mothers and babies lost to follow-up and to bring them back. Special, dedicated out-patient sessions will be starting in 2011. Among the 3,580 cumulative HIV reported cases, it is noted that mother-to-child transmission is 1.0% and unknown mode of transmission is 1.0%. 86 children have been infected by HIV/AIDS and there are no child-headed households as a result of HIV/AIDS.

448. Government will continue advocating for VCT or PITC for couples before entering into a new relationship in order to safeguard the interest of the couple and children; conducting awareness campaigns on STI/HIV/AIDS in deprived areas and among people with high risk behaviours; and conducting awareness campaigns among the general public, men and women of reproductive age, boys and girls about STI/HIV/AIDS through all available media.

449. The HIV and AIDS Act which was passed in 2006 and proclaimed in 2007 provides for a rights-based approach to HIV and AIDS-related issues, and aims in particular at protecting persons living with HIV and AIDS from discrimination. One of the objects of the Act is to respond to the escalating HIV/AIDS epidemic being witnessed in Mauritius through enhanced HIV prevention programmes and scaled up national mechanisms for voluntary counselling and testing.

450. With the support of the Global Fund, as the Principal Recipient of Funds for the NGO sector the Association has launched a wide HIV/AIDS prevention campaign with the support of its 11 Sub-Recipients. The scaling up of services and prevention programmes has been highly remarkable. The adolescents and youths are encouraged for screening and adopt responsible sexual behaviour. Furthermore a number of peer education training, including training of social workers and teachers and community leaders have been incorporated in the programme. Fifty condom-dispensing machines will be fixed around the island so that access to contraceptive services to youths in need will not be limited.

451. No harmful traditional practices exist in Mauritius.

Article 27

452. Reference is made to the paragraphs above and to paragraphs 16, 17 and 392 of the Second Periodic Report.

453. In Mauritius an Eradication of Absolute Poverty (EAP) Programme has been set up to combat poverty. Some 229 pockets of absolute poverty have been identified. The Programme is implemented through a partnership among the five social partners – socio-cultural organizations, NGOs, the corporate sector, development agencies and various levels of Government. The Trust Fund for the Social Integration of Vulnerable Groups contributes to the integration of the poor in the mainstream of development

454. The Empowerment Programme has an “Integrated Social Development Programme” which not only provides support to vulnerable families living in conditions of extreme poverty, but more importantly, offers them opportunities to move out of the poverty trap. The Programme has initiated a project for setting up a model village in Bambous where 200 vulnerable families will be relocated in 200 housing units under construction. More importantly, the families are being given the means to empower themselves through a job-related training for all those who are unemployed, through civic education, health education, parenting skilling and incentives to take care of the education of their children, and through the provision of kindergartens and facilities to children attending schools.

455. In 2007, the Minister of Finance and Economic Development has decided to provide a sum of Rs. 395 million to eradicate absolute poverty. A subcommittee of the Trust Fund for Social Integration of Vulnerable Groups has also been set up to look at the poorest of the poor and manage an Eradication of Absolute Poverty Programme (EAP), which aims at ensuring that poor, vulnerable and at-risk children attend a pre-primary school, irrespective of their social and economic background. The Pre-Primary School Project aims at providing them with a daily meal, free transport, school materials, pedagogical and psychological support. As at January 2010, some 1,030 children have been benefitting from these facilities.

456. The new measures in the budget regarding pre-school concern, at this stage, 545 children who have been identified. The subcommittee has been set up to find ways and means of touching those families which are living below the poverty line. The new measure’s rationale is to motivate these parents to send their children early to school in order to mainstream them at an early age and “leave no child out of school”. The importance of this measure is manifold. As at now, since Government was providing Rs. 200 for each child as from age four, many poor families were unable to send their children to a pre-primary school. If they did send them at the age of four, the latter were already not at par with those who had already socialised at school for a whole year.

457. The National Empowerment Foundation has set up an Eradication of Absolute Poverty (EAP) programme, which aims to eradicate absolute poverty amongst some 7,000 households in pockets of poverty. An integrated framework has been adopted for addressing the problems and needs affecting the lives of the most vulnerable section of the Mauritian society. Education and training as well as health are among the intervention areas within the integrated framework. The aim is also for children from very poor families to climb up the social ladder through education and the assimilation of a myriad of competencies.

458. In January 2009, the Foundation launched a pre-primary school project for some 500 children, not attending school. They were encouraged given package of incentives in terms of financial assistance for meal allowance (Rs. 575), transport (Rs. 350), and school fees for those attending private schools and pedagogical and school materials (Rs. 1,500). The collaboration of NGOs has been enlisted to ensure implementation and follow up of the project. In 2010, the project provided support to 1,065 children in Mauritius and 452 children in Rodrigues.

459. Medical screening is offered as a package of check-ups by the Ministry of Health and Quality of Life as the service provider; those having problems are followed up by health authorities, and visual aids like spectacles are provided by the programme.

460. The support provided at the level of the pre-primary was maintained for some 300 children at primary school so as to bring sustainable change and refrain from withdrawing support too quickly and cause a decline in the performance of these children.

461. For Standards V and VI students from vulnerable families, remedial classes are organised so as to give to these children the same facilities as their well-to-do classmates. The remedial classes for slow learners adopt a different approach to academic learning and covers life-skills, human values and hygiene among other topics. Around 213 children have benefited from these classes organised by the EAP with the active support of NGOs.

462. A Child Feeding Programme has become operational in June 2010 in Rodrigues, under the financing of Global Fund to AIDS, Tuberculosis and Malaria. Under this programme, 200 vulnerable children who are currently attending primary schools at CPE Level are being provided with one daily meal. The objective of this programme is to help those children to have their basic necessities like food, school materials and clothing. The programme helps in the education as well as the growth of the child.

463. Furthermore, in December 2010, the Monitoring & Evaluation Department of the Mauritius Family Planning and Welfare Association has carried a survey on Street Children in Rodrigues and the results will allow targeting children in Rodrigues who need the benefits/allowances of the Child Feeding Programme.

464. Due to the rising influence of alcohol among adults and children, the Ministry of Health and Quality of Life has banned the advertising of alcohol products on billboards in the vicinity of schools. The Ministry has also introduced two regulations under Sections 193 and 194 of the Public Health Act; the Public Health (Restrictions on Tobacco Products) Regulations 2007 and The Public Health (Prohibition on Advertisement, sponsorship and Restriction on Sale of Alcoholic Drinks) Regulations 2007 which are presently being finalised at the State Law Office to further reinforce the existing laws.

Articles 26 and 18, para. 3

Social security and childcare services and facilities

465. Economic, social and cultural rights exist in Mauritius given that Mauritius is a welfare state which provides free education from the pre-primary to the tertiary level, access to free medical services, and social security benefits for widows, orphans, persons with disabilities, and students in need. The State also provides subsidies for housing for poor people and has set up a Trust Fund for Poverty and an Empowerment Programme to encourage small entrepreneurs.

466. Every year, Government allocates a budget for programmes for children. For example, in the 2007-2008 budget, several provisions in favour of children have been made:

- An increase in social aid to assist neediest children in terms of an extra Rs. 25,000 to benefit 16,000 needy children whose families are in receipt of social aid. This includes a special education grant of Rs. 1,180 to all orphans, a grant of Rs. 300 to severely disabled children and a similar grant to all bedridden

children, and a one off payment of Rs. 400 to all children at the start of the school year. The Primary School Supplementary Feeding Project fulfils the basic right of needy children who cannot follow classes due to their being improperly fed.

467. In the 2006-2007 budget, Rs. 25 million are put at the disposal of NGOs to support women and children, victims of abuse and violence. The programme is project-based and involves at least two or three social partners. It is a programme directly targeting the victims themselves and can have a training component to empower volunteer field workers engaging in grassroots social work. The objectives of the programme are to:

- Work on priority areas with the ultimate aim of diminishing all forms of violence against women and children;
- Provide relief and support to children victims of child abuse including neglect and violence against children;
- Educate the visually and hearing impaired; and
- Assist children with debilitating disease and serious ailment.

Data relating to basic health and welfare

468. In 2008, the Ministry of Finance included support for children with a parent serving a prison sentence (amount showing in Mauritian rupees):

2006/07	2007/08	2008/09	2009 (Jul-Dec)	2010 (Jan-Dec)
5,451,182	5,935,346	7,425,544	2,775,755	9,004,507

Table 11: Expenditure on support programmes for families, 2005-2010 (in Rs)

	2005/06	2006/07	2007/08	2008/09	2009/10
Pension under NPF Act					
Basic Orphan Pension (BOP) and Child Allowance	6,200,000	6,400,000	15,601,000	19,567,000	11,026,519
Under Social Aid Act	170,000,000	261,300,000	309,510,000	301,298,000	384,113,869
Refund of examination fees	6,500,000	74,800,000	63,388,000	54,558,000	65,354,790

Table 12: Widows' pension and child allowance

	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004	2004/2005
Basic widows' pension ¹	21,323	22,140	22,484	22,861	22,757	22,672
Child allowance (basic widows pension)	8,853	9,001	8,672	8,300	8,113	7,985
Amount paid in millions of Rs	451.16	499.41	521.25	584.49	610.14	639.43
Average amount/beneficiary/year in Rs	14,951	16,037	16,730	18,757	19,765	20,858

¹ As at June.

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010 (provisional)
Basic widows pension ²	22,973	22,810	22,611	22,596	22,145

Child allowance (basic widows pension)	7,874	7,681	7,275	7,110	6,945
Amount paid in millions of Rs	687.81	722.01	788.84	844.16	878.09
Average amount/beneficiary/year in Rs	22,297	23,679	26,395	28,417	30,185
² As at 1 July.					
	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Number of orphans supported (basic)	434	377	396	353	349
Number of guardians supported (basic)	363	314	324	299	Not available
Total amount paid in millions of Rs ³	14.55	14.86	20.7	22.07	22.4

³ Include Guardian's Allowance and allowance to children of previous beneficiaries of BRP/BW/BIP.

Total number of children with disabilities living in institutions 2008-2009

- Male: 31
- Female: 38

In 2010, 60 children with disabilities were attending regular schools.

Children with disabilities attending special schools

- Special Schools: 966
- Daycare Centres: 705

Table 13: Pupils with special education needs attending a normal school in 2010

Zone	Nature of disability					Total	
	Physical	Mental/Epileptic /Slow learner	Hearing impairment	Visual impairment	Speech problem		Multiple disability
1	1	1	-	-	-	-	2
2	18	7	2	5	4	2	38
3	3	7	-	1	1	1	13
4	5	1	2	1	1	1	11
Grand total	27	16	4	7	6	4	64

Table 14: Pupils with special education needs attending special schools: 15-12

Year	2006	2007	2008	2009	2010
No. of children with disabilities trained	6	41	0	1	1
Nature of disabilities	Physical disabilities	Physical disabilities	-	Physical disability	Physical disability

Table 15: Infant and under-5 child mortality rates

Year	Island of Mauritius	Island of Rodrigues	Republic of Mauritius*
------	---------------------	---------------------	------------------------

	<i>No. of infant deaths</i>	<i>Infant mortality rate[@]</i>	<i>No. of infant deaths</i>	<i>Infant mortality rate[@]</i>	<i>No. of infant deaths</i>	<i>Infant mortality rate[@]</i>
2004	256	14	21	22.2	277	14.4
2005	237	13.2	11	12.3	248	14.5
2006	225	13.5	24	27.2	249	31.8
2007	248	15.3	13	15.4	261	15.4
2008	223	14.3	13	16.6	236	19.2
2009	195	13.3	10	13.9	205	13.9

* Excluding the outer islands.

@ Per 1,000 live births.

Table 16: Proportion of children with low birth weight

<i>Year</i>	<i>Low birth weight * (as a percentage of live births with known birth weight) 2005-2009</i>		
	<i>Island of Mauritius</i>	<i>Island of Rodrigues</i>	<i>Republic of Mauritius[@]</i>
2005	16.0	11.5	15.8
2006	14.3	14.3	14.3
2007	15.9	11.4	15.7
2008	15.0	12.7	14.9
2009	16.7	10.0	16.4

* Less than 2,500 grams.

@ Excluding the outer islands.

Proportion of children considered underweight (2009)

In the age group 0-11 months, the prevalence of underweight was 0.1% and that of overweight was 0.1%. In the age group 12-23 months, 0.3% babies were underweight and 0.1% was overweight. In the age group 24-59 months, 0.8% babies were underweight and 0.4% was overweight.

Table 17: Under-5 mortality rate

<i>Year</i>	<i>Island of Mauritius</i>		<i>Island of Rodrigues</i>		<i>Republic of Mauritius*</i>	
	<i>No. of deaths</i>	<i>Under 5 mortality rate[@]</i>	<i>No. of deaths</i>	<i>Under 5 mortality rate[@]</i>	<i>No. of deaths</i>	<i>Under 5 mortality rate[@]</i>
2004	294	16.1	23	24.4	317	16.5
2005	285	15.9	13	14.5	298	15.8
2006	270	16.1	28	31.8	298	16.9
2007	279	17.2	13	15.4	292	17.1
2008	256	16.4	15	19.2	271	16.6
2009	237	16.2	10	13.9	247	16.1

* Excluding the outer islands.

@ Per thousand live births.

Table 18: Mortality rates

<i>Year</i>	<i>Infant mortality rate</i>	<i>Under 5 mortality rate</i>	<i>Maternal mortality rate</i>	<i>Adolescent fertility rate</i>
-------------	------------------------------	-------------------------------	--------------------------------	--------------------------------------

	<i>Island of Mauritius</i>	<i>Island of Rodrigues</i>	<i>Island of Mauritius</i>	<i>Island of Rodrigues</i>	<i>Island of Mauritius</i>	<i>Island of Rodrigues</i>	<i>Republic of Mauritius</i>
2005	13.2	12.3	15.9	14.5	0.22	-	35.1
2006	13.5	27.2	16.1	31.8	0.18	-	33.9
2007	15.3	15.4	17.2	15.4	0.37	-	35.4
2008	14.3	16.6	16.1	19.2	0.38	-	33.9
2009	13.3	13.9	19.2	13.9	0.68	-	32.6

Table 19: Immunisation rates, 2007-2009

	<i>Immunisation Coverage rates (%)</i>					
	<i>Island of Mauritius</i>			<i>Island of Rodrigues</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
BCG	89.2	89.3	88.9	94.9	100.0	100.0
DPT & Hepatitis (3 rd dose)	87.3	95.6	92.7	96.6	100.0	100.0
Polio	87.3	95.8	93.4	96.6	100.0	100.0
MMR	90.0	88.7	92.3	89.8	100.0	100.0

Table 20: Maternal deaths, by cause and age-at-death (years), Jan. 2005-Dec. 2009

<i>Causes</i>	<i>2005</i>		<i>2006</i>		<i>2007</i>		<i>2008</i>		<i>2009</i>	
	<i>No</i>	<i>Age at death</i>	<i>No</i>	<i>Age at death</i>	<i>No</i>	<i>Age at death</i>	<i>No</i>	<i>Age at death</i>	<i>No</i>	<i>Age at death</i>
Postpartum haemorrhage	1	45	1	22	-	-	2	23/32	1	40
Antepartum or intrapartum haemorrhage (with coagulation defect)	1	30	-	-	2	39/28	1	20	3	28/30/39
Disruption of obstetric wound	1	33	-	-	-	-	-	-	-	-
Complications following abortion	-	-	-	-	-	-	1	40	1	38
Eclampsia and other maternal hypertension	1	39	-	-	1	28	1	35	-	-
Amniotic fluid, pulmonary and other obstetric embolism	-	-	-	-	-	-	1	31	2	19/38
Sepsis, pyrexia and other puerperal infections	-	-	-	-	1	28	-	-	-	-
Diseases of the Circulatory System complicating pregnancy, childbirth and puerperium	-	-	2	35/26	2	31/22	-	-	-	-
Placental Disorders	-	-	-	-	-	-	-	-	1	24
Abdominal or ectopic pregnancy	-	-	-	-	-	-	-	-	2	32/38
Total	4		3		6		6		10	

Table 21: Child Health Services are provided through a network of:

Regional Hospitals	5
District Hospitals	2
Community Hospitals	2
Area Health Centres	21
Community Health Centres	115
Medi-Clinics	2
Maternal and Child Health Clinics	142
Neonatal Intensive Care Units	2
Dental Clinics.	53

Table 22: Adolescents affected by early pregnancy (teenage pregnancy)

<i>Year</i>	<i>Adolescent Fertility Rate</i>
2004	35.9
2005	33.5
2006	32.4
2007	34.2
2008	32.9
2009	31.4

Table 23: Health care expenditure (million Rs)

	2005/06	2006/07	2007/08	2008/09	2009/10
Expenditure on health care	3,998	3,949	4,452	5,000	7,400
% of GDP	2.1	2.1	1.9	2.1	2.4

Table 24: Children infected by HIV/AIDS in 2010

<i>Age group (years)</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
1-4	5	6	11
5-9	4	3	7
10-14	3	4	7
15-17	2	9	11
Total (under 18)	14	22	36

Table 25: Sexually transmitted infections (under 18 years)

<i>All STI</i>	2007			2008			2009		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
	11	6	17	7	6	13	7	8	15

Table 26: Mental health problems – admissions at Brown Sequard Mental Health Care Centre (under 18 years)

	2007	2008	2009
Admission <18 years	134	126	81
Total admissions	4,394	4,382	4,487
% of all admissions	3.05	2.88	1.81

Table 27: Cases treated as in-patients (<18 years) due to mental and behavioural disorders at government general hospitals

	2007	2008	2009
No. of admissions due to mental and behavioural disorders	182	157	182
Total admissions	30,190	30,168	29,793
% of all admissions	0.60	0.52	0.61

VIII. Education, leisure and cultural activities (arts. 28, 29 and 31)

469. Reference is made to paragraphs 393 to 462 of the Second Periodic Report of the Republic of Mauritius.

Article 28

Education, including vocational training and guidance

470. Education is free. However, one third of children do not pass the Primary School Leaving Certificate examinations (inclusive of repeaters), as indicated by the NHRC which highlights language problems as a possible reason for such situation. English and French are used as media of instruction whereas most people speak Creole. The NHRC recommended that in the early years of schooling Creole should also be used as a medium of instruction to help children who are at a disadvantage. Kreol and Bhojpuri will be introduced in schools as from 2012.

471. The NHRC considers that a culture of human rights should be encouraged from an early age by the introduction of human rights education in schools. A set of activities based on human rights Education has been included in the Bridging the Gap programme.

472. The Early Childhood Care & Education Authority (ECCEA) was set up in 2007 under Act No. 21 of 2007 and came into operation on 16 June 2008. Prior to the setting up of the ECCEA, the Pre School Trust Fund (PSTF) was set up in 1984 with the objective of promoting and providing preschool education and services in the Republic of Mauritius. The ECCEA, a parastatal body operating under the aegis of the Ministry of Education & Human Resources is mandated to act as both a regulator and a facilitator as well as oversee/monitor both Government and Private pre-primary schools in the Republic of Mauritius.

473. In Mauritius, the Early Childhood Care and Education Authority manages 184 ECCEA pre-primary schools, 838 Private pre-primary schools and 62 pre-primary schools run by Municipalities & District Councils. On the other hand, in Rodrigues the ECCEA

manages 3 Government pre-primary schools namely Port Mathurin pre-primary school, Batastran pre-primary school and Terre Rouge pre-primary school and effects the payment for the salary of the educators working in those three pre-primary schools. There are also 30 private pre-primary schools grouped under the *Association des Ecoles Maternelles de Rodrigues* which are fee paying but financially supported by the Commission for Education in Rodrigues. The ECCEA also runs 2 pre-primary units in Agalega.

474. To ensure access to education to all and help parents in sending their children to school, the Ministry of Education provides free transport facilities to all school children as from primary level.

475. In the pre-primary sector, the Ministry of Education in close collaboration with Child Development & Family Welfare Programme under the National Empowerment Foundation has been able to bring down the percentage of children aged 3 to 4 not attending school from 15% in 2005 to 6% in 2010.

476. With the support of Nordic countries and the UN system, the Ministry has developed the Mauritius Africa Initiative. The ECCEA with the MCA is in the process of setting up a first Regional Centre of excellence in early childhood education, aiming at capacity building of people working in the ECD Sector, knowledge sharing of best practices. Other initiatives of the ECCEA include the Celebration of the World Book Day (Pre-Primary) to promote a reading culture right from the early years, and the International Day of the child at national level to sensitise the population on the basic principle of Convention.

477. In the Republic of Mauritius, parental empowerment programmes are organized regularly. The main objective is to improve Early Childhood care and education to combat violence and prevent child abuse. Trainers in Early Childhood Development helped in the training of about 30 persons working directly with children. A network was set up as an ad-hoc committee on the prevention of child abuse and the network is actually meeting on a quarterly basis for case conferencing, preparation for training on Child Rights Convention and parents' empowerment Programme.

478. 77 pre-school and specialised school Educators in Rodrigues received intensive training on the Rights of the Child and the roles and responsibilities of parents, duty bearers, in the process of development of children in the rapid changes of the society. The aim of this training was to enlist pre-school Educators as Trainers on the Convention.

479. In the primary sector, important reforms have been undertaken since 2005 so as to improve access to education, quality of education and the performance of children. These measures have helped improve the pass rate at the end of primary cycle examination (Certificate of Primary Education) from 64.9% in 2005 to 68.1% 2009.

480. Bridging the Gap is one among the different quality initiatives launched by the Ministry of Education & and Human Resources in 2006 with a view to ensure a smooth transition from pre-primary to primary school. This initiative focuses mainly on the development of special program to welcome children in Standard I, teacher training, classroom improvement and development of support materials. Piloted in 2006, it was extended to all schools in Mauritius and Rodrigues in 2007. In 2007, a Teacher's Guide and a repertoire of activities were produced to facilitate the implementation of the program. In 2008 a pedagogical kit was produced to support educators in the implementation of the program. In 2009 the project was evaluated and several weaknesses were identified. Based on the evaluation, remedial actions have been taken to improve the initiative: A new pupil's workbook has been designed to be used for the first term with standard 1 pupils.; and

Physical education has been developed in line with the National Curriculum Framework – Pre-primary 3-5 years to ensure a smooth transition from pre-primary to primary. A new teacher's guide has been produced and teachers have been trained.

481. As from 2010, a new curriculum framework, the National Curriculum Framework Pre-Primary has been developed by the MIE/ECCEA to ensure the proper development of the child. This is being implemented in all pre-primary schools of the Republic of Mauritius. The ECCEA is currently working on the Bridging the Gap initiative from home to pre-school, through parental empowerment programs.

482. Other initiatives of the ECCEA include the Celebration of the World Book Day (Pre-Primary) to promote a reading culture right from the early years, and the International Day of the child at national level to sensitize the population on the basic principle of Convention.

483. INNOVED (Innovation for the Education Sector) is a joint Ministry of Education & Human Resources and National Productivity and Competitiveness Council (NPCC) project, which was launched in 2005. The objectives of the Innoved project are to increase creativity, arouse curiosity, develop eagerness to learn, develop self and group learning abilities and develop a culture of continuous improvement. In year 2010, some 100 ECCEA pre-primary schools and 200 private pre-primary schools participated in the Innoved project including some 600 educators.

484. Excellence Award is a project where the best educational institutions both public and private are recognized for their commitment, efforts and achievements in respect of Quality Education. Excellence Award consists of a framework that is used by educational institutions as bench mark for promoting Quality Initiatives in their institutions in the best interest of the child. This project was implemented in 2007 and 2008.

485. Pursuant to Articles 28 and 29, the following actions were undertaken:

- Baseline profiling: Introduced in 2009 in Standard I, this concept is an important pedagogical tool proposed to teachers to enable them to identify the strengths and weaknesses of their pupils and come up with corrective measures.
- Diagnostic assessment: This new approach was introduced in 2006 at the level of Standard III. It allows the identification of the child's weaknesses and the introduction of the required corrective measures.
- Continuous assessment: It was introduced in 2010 at the levels of Standard III and IV and enables the teacher to detect throughout the year, the strengths, weaknesses and the learning difficulties encountered by the child.
- Remedial education: It consists of an individual coaching introduced in 2009 at the level of Standards II, III, and IV which enables the enhancement of the learning ability of pupils with difficulties so as to enable them to acquire the necessary level.
- Enhancement Programme: It consists of the reinforcement of subjects taught at school using a different pedagogy, with a number of extra-curricular activities which favour active participation of children thus enhancing their holistic development. Amongst the extra-curricular activities are sports, physical education, music, painting, slams and theatre. Living values such as respect, sharing, collaboration are also inculcated to children. Most parents have shown their appreciation for this programme introduced at the level of Standard IV and this positive attitude largely contributes to its success. The Enhancement

Programme has been introduced at the level of Standard III as from February 2011.

Article 29

486. To ensure quality of education, visual tests are carried out for primary school children and for the period 2008-2009, 66,000 pupils had been examined and 4,693 have been referred to for medical follow up. Since 2010, children with visual impairment have had access to school books with bigger fonts. In order, to cater for the health of children, heavy school books have been divided into two to ensure that children's school bags are lighter.

487. The Ministry of Education has spared no effort in ensuring quality of education at the level of *Zone d'Education Prioritaire* (ZEP) schools. Over the period 2006-2009, the pass rate at the level of ZEP schools has been 36% compared to 29-33% over the period 2002-2005. The rate of absenteeism has also gone down from 15% in 2006-2007 to 12.9% in 2008. In 2010, the ZEP project has been enhanced by the Zone of Inclusive and Integrated Strategy (ZISS) project which has been introduced on a pilot basis in 12 ZEP schools including one in Rodrigues. The aim is to enable children to have access to differentiated learning and a series of extra-curricular activities. The Ministry of Education has approached the private sector for their support in this field in the context of their Corporate Social Responsibility (CSR) programme.

488. At the Secondary level, 4 additional weekly classes have been introduced so as to enable the organisation of extracurricular activities with the support of resource persons. Creativity, cultural and artistic activities as well as the teaching of values have been introduced so as to ensure the holistic development of children.

489. At the level of the fifth year of Secondary, the Broadening the Curricular base has been introduced to enable students studying science subjects to familiarise themselves with social sciences and in turn non- science students have been initiated to a subject called "21st Century Science". Subjects like Environmental Management, Travel and Tourism, Physical education, Psychology and the learning of a foreign language e.g. Italian has been introduced.

490. The above measures subserve the purpose of improving the quality of learning thus leading to the improvement of the pass rate at both the School Certificate and the Higher School Certificate levels.

491. Government has also come forward with the opening of a secondary school in Agalega.

492. A Second Chance Programme has been introduced in 2009 and it aims at offering a second chance to youths, who are aged less than 21 and not in full-time employment and who have not had the opportunity to pursue their education. They are given the opportunity to follow a pre-professional course. 600 youths have thus benefitted from pre-professional training.

493. A School Health programme is in place, in collaboration with the Ministry of Health and Quality of Life and ensures medical examinations to students at Secondary level.

494. Since 2007, the Work Placement programme intended for 6th year students at secondary level and those in pre-vocational schools enables students to gain experience of

the work place. 2,500 students have benefitted from these 2 weeks' exposure period in the world of work.

495. The Ministry of Gender Equality, Child Development and Family Welfare monitors and registers child day care centres for children in the age bracket of 3 months to 3 years old. There are currently some 264 such day care centres which are operating island wide out of which only 109 are fully registered. Site visits are conducted on a regular basis to ensure that necessary arrangements are being made by unregistered day care centres for their full compliance with the prescribed norms and standards as laid down in the Institutions for the Welfare and Protection of Children Regulations 2000 of the Child Protection Act. The Ministry has also made the necessary arrangements to review these Regulations to include additional provisions, especially with regard to sanctions against non-compliant day care centres.

496. School Child Protection Clubs have been launched in September 2010, as a multi-staged holistic project which aims at initiating home grown protection clubs for children by children at the level of the school itself. The School Child Protection Club is based on the Convention and aims at the development of communication strategies and information, education and communication campaigns for four different but interlinked target groups operating at the school community level. The School Child Protection Club will eventually lead to the initiation of a school child protection policy per se.

497. School Child Protection Clubs will also be initiated to protect children from school violence which includes gang fight between or among schools, bullying and also corporal punishment. It is expected via thorough implementation of the project to:

- Develop a critical mass of people who are fully conversant with child protection issues;
- Inform teaching and non-teaching staff and students on Convention on the Rights of the Child (CRC), Children Laws, on the support services available for children in distress;
- Reduce the number of children suffering from violence in silence;
- Develop among the children, teachers and non-teaching staff the know-how of disclosure of violence to lessen trauma and avoid secondary victimization;
- Develop a critical mass child rights advocates within the school community on the whole;
- Better enforce the Child Protection Act for both teaching and non-teaching community who will learn their role as duty bearers to identify and report cases in the most appropriate manner for timely intervention, to promote early recovery and rehabilitation as appropriate.

498. For the year 2011, a maximum of 20 school child protection clubs will be set up in 10 primary and 10 secondary schools.

Vocational training and guidance

499. The Mauritius Institute of Training and Development Act 2009 has been enacted for the setting up of an institute to develop, conduct and increase access to technical and vocational education and training programmes to students, including assisting in the apprenticeship of persons who are, or will be, employed in commercial, technical and vocational fields.

Aims of education

500. In January 2007, the Human Rights Education Committee of the Ministry of Education and Human Resources decided to set up a task force comprising members from different ministries and institutions. The major objective of this Task Force was to prepare an action Plan defining the strategies and making proposals towards curriculum integration and the organisation of activities for the sensitisation of Human Rights in the school context. More specifically it was required to:

- Review existing literature on Human Rights Education;
- Prepare a list of activities so far organised by their Ministries/Organisation/Institutions;
- Propose activities which could be organised for further sensitization in academic year 2007;
- Define strategies for the integration of Human Rights Education into the national curriculum at primary and secondary levels.

501. The task force agreed that a comprehensive formal education strategy for human rights education would rest on the following:

- Sensitisation and awareness-raising among the student community through the organisation of a series of activities, posters and other audio-visual support;
- Integration of human rights education in school curricula at primary and secondary levels;
- Training of teachers and resource persons in human rights education.

502. Introduction of modules of human rights education in the pre-service and in-service programmes of the Mauritius Institute of Education.

- Developing training materials and teaching and learning resource materials for human rights education;
- Networking with other ministries, local institutions, international agencies, NGO's and private sector.

503. The Plan of Action was prepared, circulated among the institutions concerned and approved by the Ministry of Education and Human Resources. An expert from the International Bureau of Education/UNESCO was appointed as consultant to help in the implementation of the plan.

504. The Mauritius Institute of Education, the Mauritius College of the Air in collaboration with the University of Technology Mauritius and other private institutions provides training facilities to teachers in this sector.

505. In Rodrigues, in 2008, following a survey, it has been reported that due to financial constraints, a number of pre-primary pupils aged 3 above were not attending any pre-primary institutions. Necessary measures were taken for the admission to the different pre-primary schools of the island of some 650 pre-primary pupils considered as very needy. As at to date, over 1,500 children are from this scheme, and the Commission for Education, Rodrigues ensures the payment of school fees. The Expenses incurred for the years 2008 to 2010 are as follows:

2008	2009	2010
Rs 3,120,000	Rs 2,229,000	Rs 2,168,000

506. For pupils aged 4 years and above, the Commission for Education allocates a per grant to all pre-primary schools, as per Government policy:

2006	2007	2008	2009	2010
Rs. 1,713,400	Rs. 173,600	Rs. 1,466,800	Rs. 1,695,000	Rs. 1,720,400

Article 31

Rest, leisure, recreation and cultural and artistic activities

507. The National Children's Council organized some 15 Creativity Workshops in the North, South, East and West of Mauritius where some 628 children aged 11 to 16 years old participated in Creativity activities such as card making, clay modelling, flower making, drawing and painting, henna application and soft toys. Creativity activities such as face painting, flower making, glass painting and drawing/painting are regularly organised. Children have the opportunity to learn different techniques in creativity and develop their talents. Creativity activities are organised to enable children to give free expression to their imagination with meaningful and sound leisure. These include music, crafts, drama, and glass and fabric paintings, paper craft, production of creative objects from waste products, puzzle making, needle craft, vegetable painting, macramé, crochet, clay modelling and key holder. Since its opening, around 64,000 children have benefitted from activities organised by the Creativity Centre. As the first Creativity Centre gained popularity, a second one was constructed at Pointe aux Sables. However, the latter building has been converted to a Shelter for Women and Children victims of abuse on a temporary basis. The Creativity Centre can accommodate 80 children at a time and can host Residential Camping Programmes for children and adolescents.

508. Children in the custody of the SOS Children's Village are engaged in regular personal activities like scouts, girls' guides, athletics and football. Some have been exposed to golf activities, while others regularly practice swimming, judo, badminton, table tennis and boxing.

509. In the 171 Early Childhood Care and Education Authority (ECCEA) pre-primary schools and in most private pre-primary schools, outdoor equipment are put at the disposal for children for their physical activities. Children are expected to carry out at least 30 minutes of physical exercises daily.

510. The Ministry of Gender Equality, Child Development and Family Welfare, in collaboration with the National Children's Council organises a series of activities such as Sports Day, *Colonies de Vacances*, outreach and Developmental activities to foster the welfare and participation of children.

511. International, regional days and events, 16 Days 16 Rights Campaign based on the promotion of the rights of the child are celebrated annually, to sensitise children and the public at large on children's rights and responsibilities and to also sensitise adults about children's rights and their own duties towards children.

512. In an attempt to intensify campaigns to combat child violence including abuse and neglect an Information Education and Communication (IEC) strategy has been initiated. Materials with respect to information, education and communication for school going children, parents, school educators and community leaders are developed in a systematic and coherent manner. Programmes proposed also take the form of debates, elocution contests, publications, talks and multi-media interventions.

513. Since 2001, the National Children's Council operates a Creativity Centre at Mahebourg to cater for the creative needs of the growing child with a view to promoting his/her social, intellectual, moral and physical development. The Creativity Centre fully upholds the Convention of the Rights of the Child by providing a child friendly environment with facilities for leisure, enhancement of children's potential and skills through creativity, self-expression and play group activities.

514. The *Centre de Lecture Publique et d'Animation Culturel* (CLAC) of the Ministry of Arts and Culture actively promotes and consolidates the rights of the child through its activities in the CLAC centres operating in Mauritius. The Centres provide reading facilities in rural areas to children and encourages their active participation on numerous cultural activities such as Slam, poem recitation, debates, story-telling and painting competition and workshops. Talks are extended on current issues like HIV/AIDS, drug addiction and bad effects of smoking. About 6262 children are subscribers to the Centres and an equal number visits them. There is an increasing demand and it is envisaged to open 8 new centres shortly. The Drama Section of the Ministry of Arts and Culture annually organises drama festivals in ten languages on various themes such as: national unity, environment, measures to fight corruption and "*rapprochement des cultures*", with the participation of primary and secondary school children of which more than 1000 children are under 18 years. Each participating group is allocated a financial assistance of Rs. 1,000 (USD 34).

Data relating to education, leisure and cultural activities

515. Indicators on pre-primary, primary and secondary schools for the period 2007-2009.

Table 28: Pre-primary

	2007	%	2008	%	2009	%
No. of Schools	1,076	100	1,070	100	1,057	100
State-run	179	17	182	17	182	17
Private	826	77	817	76	803	76
RCEA	11	1	12	1	12	1
Municipal/V. Councils	60	6	59	6	60	6
Enrolment	36,467	100	36,242	100	35,974	100
Male	18,362	50	18,263	50	18,097	50
Female	18,105	50	17,979	50	17,877	50
Gross Enrolment Ratio		94		94	96	96
	2007/2008 ¹		2008/2009 ²			
Budget (Rs Mn)	106	1.3*	129	1.6*		

Table 29: Primary

	2007	%	2008	%	2009	%
No. of Schools	289	100	299	100	302	100
State-run	219	76	219	76	220	73
Private	70	24	80	28	82	27
Confessional	53	18	53	18	53	17
Private aided/non-aided	17	6	27	9	29	10
Enrolment	119,310	100	119,022	100	117,922	
Male	60,641	51	60,693	51	59,948	
Female	58,669	49	58,329	49	57,974	
Gross Enrolment Ratio		102		101		101
Pass Rate (CPE)		66.2		67.4		68.1
	2007/2008 ¹		2008/2009 ²			
Budget (Rs Mn)	2,220	28.4*	2,292	26.9*		

Table 30: Secondary

	2007	%	2008	%	2009	%
No. of Schools	186	100	180	100	179	100
State-run	70	38	69	38	69	39
Private (Confessional, Private aided, non-aided)	116	62	111	62	110	61
Enrolment	116,706	100	116,503	100	116,226	
Male	56,097	48	55,873	48	55,389	
Female	60,609	52	60,630	52	60,837	
Gross Enrolment Ratio		72		72		69
Pass Rate						
SC		76.7		76.5		77.6
HSC		77.8		78.7		78.8
	2007/2008 ¹		2008/2009 ²			
Budget (Rs Mn)	3,802	48.7*	4,152	48.8*		

¹ Actual.² Revised estimates.**Table 31: Enrolment in pre-primary, primary and secondary schools, by standard/form and sex, 2007-2009**

	2007			2008			2009		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Pre-primary	18,362	18,105	36,467	18,263	17,979	36,242	18,097	17,877	35,974
Primary level	60,641	58,669	119,310	60,693	58,329	119,022	59,948	57,974	117,922
Std I	9,465	9,366	18,831	9,587	9,461	19,048	9,452	9,161	18,613
Std II	9,850	9,618	19,468	9,533	9,382	18,915	9,604	9,517	19,121
Std III	9,921	9,627	19,548	9,926	9,499	19,425	9,513	9,442	18,955
Std IV	9,402	9,120	18,522	9,849	9,639	19,488	9,759	9,570	19,329
Std V	9,627	9,417	19,044	9,416	9,071	18,487	9,805	9,505	19,310

	2007			2008			2009		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Std VI	9,715	9,741	19,456	9,570	9,331	18,901	9,250	9,032	18,282
Std VI (Repeaters)	2,661	1,780	4,441	2,812	1,946	4,758	2,565	1,747	4,312
Std VI (inc. repeaters)	12,376	11,521	23,897	12,382	11,277	23,659	11,815	10,779	22,594
Secondary level	56,097	60,609	116,706	55,873	60,630	116,503	55,389	60,837	116,226
Form I	8,806	9,522	18,328	8,169	8,859	17,028	8,197	8,612	16,809
Form II	9,074	9,685	18,759	8,740	9,529	18,269	8,210	9,036	17,246
Form III	8,959	9,413	18,372	9,092	9,700	18,792	8,980	9,652	18,632
Form IV	9,655	10,537	20,192	9,794	10,138	19,932	9,968	10,387	20,355
Form V	10,209	10,787	20,996	10,386	10,881	21,267	10,151	10,929	21,080
Form VI Lower	4,709	5,457	10,166	4,847	5,986	10,833	4,904	6,231	11,135
Form VI Upper	4,685	5,208	9,893	4,845	5,537	10,382	4,979	5,990	10,969
Form VI L-VI U	9,394	10,665	20,059	9,692	11,523	21,215	9,883	12,221	22,104
Secondary level prevocational	5,957	3,616	9,573	5,336	3,159	8,495	5,114	2,919	8,033
Year I	1,978	1,168	3,146	1,869	1,102	2,971	1,889	1,092	2,981
Year II	1,972	1,220	3,192	1,787	1,071	2,858	1,655	957	2,612
Year III	2,007	1,228	3,235	1,680	986	2,666	1,570	870	2,440
Enrolment in private schools									
Pre-primary level	15,132	14,843	29,975	15,044	14,694	29,738	14,826	14,639	29,465
Primary level	15,620	15,538	31,158	15,914	15,671	31,585	16,207	15,918	32,125
Secondary level	34,656	37,614	72,270	33,266	36,197	69,463	32,411	35,254	67,665
Enrolment in state schools									
Pre-primary level	3,230	3,262	6,492	3,219	3,285	6,504	3,271	3,238	6,509
Primary level	45,021	43,131	88,152	44,779	42,658	87,437	43,741	42,056	85,797
Secondary level	21,441	22,995	44,436	22,607	24,433	47,040	22,978	25,583	48,561

General indicators, 2005-2009

Table 32: Pre-primary

	2005	2006	2007	2008	2009
No. of Schools	1,072	1,087	1,076	1,070	1,057
State-run	179	179	179	182	182
Private	824	838	826	817	803
RCEA	10	11	11	12	12
Municipal/V. Councils	59	59	60	59	60
Enrolment	37,356	37,129	36,467	36,242	35,974
Male	18,934	18,730	18,362	18,263	18,097

	2005	2006	2007	2008	2009
Female	18,422	18,399	18,105	17,979	17,877
Number of teachers	2,501	2,527	2,513	2,541	2,518
Gross Enrolment Ratio (%)	94	95	94	94	96
Male	93	94	93	93	95
Female	95	95	94	95	97
Pupil/Teacher Ratio	15	15	15	14	14

Table 33: Primary

	2005	2006	2007	2008	2009
No. of Schools	291	290	289	299	302
State-run	221	220	219	219	220
Private	70	70	70	80	82
Aided	53	53	53	53	53
Non-aided	17	17	17	27	29
Enrolment	123,562	121,387	119,310	119,022	117,922
Male	62,729	61,687	60,641	60,693	59,948
Female	60,833	59,700	58,669	58,329	57,974
Number of teachers	5,531	5,598	5,548	5,495	5,454
Gross Enrolment Ratio (%)	102	102	101	101	101
Male	103	102	101	101	100
Female	102	101	101	101	101
Pupil/Teacher Ratio	30	29	28	29	29
Completing primary	98	93	98	95	94
Male	98	92	97	96	93
Female	98	93	98	95	94
To secondary	81	84	81	82	n.a.
Education Pass Rate	64.9	67.9	66.2	67.4	68.1

Table 34: Secondary (Academic)

	2005	2006	2007	2008	2009
No. of Schools	188	189	186	180	179
State-run	70	70	70	69	69
Private (confessional, private/aided, non-aided)	118	119	116	111	110
Enrolment	110,287	114,657	116,706	116,503	116,226
Male	52,988	55,136	56,097	55,873	55,389
Female	57,599	59,521	60,609	60,630	60,837
Number of teachers	6,785	7,079	7,423	7,408	7,564
Gross Enrolment Ratio (%)	67	69	69	69	69
Male	64	65	65	65	65
Female	71	72	72	72	73

Pupil/Teacher Ratio	16	16	16	16	15
SC Pass Rate	78.4	78.9	76.7	76.5	77.6
HSC Pass Rate	78.2	79.3	77.8	78.7	78.8

Table 35: Enrolment rate at pre-primary level as at December 2010 - Mauritius: 94%

<i>Age</i>	<i>Year 2010</i>
Population (3+& 4+) CSO	33,226
3+	15,138
4+	16,094
Total (3+ & 4+)	31,332
% Enrolment Mauritius	94%

Enrolment rate in Rodrigues was approximately 99%.

Table 36: Percentage of dropout in primary schools, 2005-2009

	2005			2006			2007			2008			2009		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Island of Mauritius	0.4	0.2	0.3	0.3	0.4	0.4	0.2	0.4	0.3	0.6	0.3	0.5	0.2	0.4	0.3
Island of Rodrigues	0.3	0.8	0.5	1.2	0.9	0.9	1.6	2.4	2.0	1.2	0.2	0.8	1.9	1.3	1.6
Republic of Mauritius	0.4	0.2	0.3	0.3	0.4	0.4	0.2	0.4	0.3	0.7	0.3	0.5	0.3	0.4	0.3

Table 37: Percentage of dropout in secondary schools (academic), 2005-2009

	2005			2006			2007			2008			2009		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Island of Mauritius	6.1	5.9	6.0	7.1	6.3	6.7	7.5	6.5	7.0	8.4	5.8	7.0	7.3	5.8	6.5
Island of Rodrigues	10.2	9.4	9.8	10.0	9.9	9.9	14.9	14.1	14.4	5.8	19.7	13.3	11.0	8.7	9.7
Republic of Mauritius	6.2	6.0	6.1	7.2	6.4	6.8	7.7	6.7	7.2	8.3	5.8	7.0	7.6	5.9	6.7

Table 38: Percentage of dropout in secondary schools (pre-vocational), 2005-2009

	2005			2006			2007			2008			2009		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Island of Mauritius	7.8	6.2	7.2	9.6	12.3	10.7	8.2	8.9	8.5	8.3	11.5	9.5	10.2	11.4	10.6
Island of Rodrigues	5.6	2.8	4.6	8.9	10.6	9.6	6.6	13.5	9.4	3.5	3.5	3.5	7.9	7.8	7.8
Republic of Mauritius	7.7	6.0	7.1	9.6	12.2	10.6	8.1	9.2	8.5	8.1	11.0	9.1	10.1	11.2	10.5

IX. Special protection measures (arts. 22, 30, 32-36, 37 (b)-(d), 38-40)

Article 32

Child labour

516. Mauritius has ratified the two fundamental ILO Conventions pertaining to child labour:

- The Minimum Age Convention, 1973 (No.138) - Ratification registered on 30 July 1990;
- The Worst Forms of Child Labour Convention, 1999 (No. 182) – Ratification registered on 8 June 2000.

517. Under Convention No. 138, Mauritius undertakes to pursue a national policy designed to ensure the effective abolition of child labour. The Convention provides that limited categories of employment or work may be excluded from its application where special and substantial problems of application arise.

518. Under Convention No. 182, Mauritius has to take measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. Under this Convention a child is defined as a person under the age of 18 (Art. 2) and the term “Worst Forms of Child Labour” comprises:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

519. The Employment Rights Act 2008 (Act No. 33 of 2008) which has replaced the Labour Act 1975 with effect from 2 February 2009 defines a “child” as “a person under the age of 16” and a “young person” as “a person other than a child, who is under the age of 18”. Section 12(1) of the Act prohibits the employment of children whilst at Section 12(2), provision has been made that no person shall employ, or continue to employ, a young person:

- On work which by its nature, or the circumstances in which it is carried out, is likely to jeopardize the health, safety, physical, mental, moral or social development of the young person; or
- After being notified in writing by the Permanent Secretary that the kind of work for which the young person is employed is unsuitable for the young person, or will interfere with the young person’s education.

520. The Act also provides at Section 13 that an employer shall keep a record of every young person employed by him.

521. Section 14 (6) of the Act provides that a young person shall not be employed in an industrial undertaking between 10.00 p.m. and 5.00 a.m. As per the Act “*industrial undertaking*” includes:

- Mining and quarrying operations or other activities connected with mineral prospecting;
- The manufacture, production, assembly, installation, repair, maintenance, modification or destruction of materials or properties;
- Ship building operations;
- The generation, transformation, and supply of electric power or other type of energy;
- The construction, extension, installation, repair, maintenance, alteration or demolition of buildings, airfields, tramway lines, harbours, dockyards, piers, inland waterways, roads, tunnels, bridges, drainage, water pipes, telegraphic and telephonic installations, electric gas or water works or other construction work including the preparation for or laying the foundation of any such work or structure; and
- Such other undertaking as the Minister may, by regulations, determine.

522. Section 67(2) of the Employment Rights Act provides that any person who commits an offence, shall on conviction, be liable to a fine not exceeding Rs. 10,000 and to imprisonment for a term not exceeding one year.

523. The Occupational Safety and Health Act 2005 (Act No. 28 of 2005) which has replaced the Occupational Safety Health & Welfare Act 1988 with effect from 1 September 2007, defines a “young person” as meaning “a person who is above the age of 16 but has not attained the age of 18.”

524. In line with Articles 3(d) and 4 of ILO Convention No. 182, Section 8 of the Act lists down the types of activities in which young persons should not be engaged in for health and safety reasons as follows:

- Work with explosives;
- Exposure to ionizing radiation;
- Work with heavy metals, including lead and mercury;
- Work in the forestry and construction sector;
- Work or exposure to any form of asbestos;
- Exposure to benzene or other harmful organic solvents;
- Exposure to aromatic amines;
- Exposure to prescribed noise or vibration;
- Work in compressed air or in confined spaces; and
- Any work which is harmful to the health and safety of that person.

525. Section 46(2) of the Act prohibits a young person from cleaning any part of any machine where the cleaning thereof would expose him to risk of injury from any moving part of the machine.

526. The Act further provides at Section 94(3) (b) that any person who commits an offence shall be liable to a fine not exceeding Rs. 75,000 and to imprisonment for a term not exceeding one year.

527. Pursuant to Article 32 of the Convention, the Inspection and Enforcement Section (IES) of the MLIRE which is responsible for the application of all labour legislation that regulates payment of remuneration and conditions of employment by carrying out regular inspections at workplaces, also enforces the law with respect to child labour.

528. Presently, all labour inspection visits carried out aim, inter alia, at detecting cases of child labour. Labour and Industrial Relations Officers of the IES effect systematic visits at undertakings and all places of work, thus covering both the formal and informal sectors of employment, to detect and sanction cases including child labour. Whenever detected, child employment is stopped forthwith and criminal action is taken against offenders.

529. In Mauritius, over the period 1 June 2007 to 31 May 2010, out of 4,586 inspection visits effected, 6 cases of child employment involving 6 children (male) were detected. The employment of these children was stopped forthwith. One case was dismissed and criminal action was taken in five of the cases where the employers were convicted to pay fines and costs as follows:

<i>No. of cases</i>	<i>Fine</i>	<i>Costs</i>
2	Rs. 1,900	Rs. 500
1	Rs. 1,500	Rs. 200
1	Rs. 3,000	Rs. 200
1	Rs. 6,000	Rs. 800

530. In Rodrigues, available statistics reveal that for period 1 June 2007 to 31 May 2009, 142 site visits were effected but no case of child employment was detected during the period under review.

531. The Information, Education and Communication Section of the Ministry of Labour, Industrial Relations and Employment undertakes on-going education and sensitization programmes targeting employers and workers with a view to increasing awareness of the provisions of the legislation regarding child employment.

Article 39

532. The Child Protection (Amendment) Act 2008 was enacted by the Parliament of Mauritius to introduce the concept of “child mentor”, establish a Child Mentoring Committee and make provisions for the issue of mentoring orders by the Court, and for the setting up of the Child Mentoring Scheme.

533. The object of the Child Mentoring Scheme is to assist children between the age of 10 and 16 who are victims of neglect, who suffer violence because of mild behavioural problems or are in distress, or have problems of social adaptation. Where a child is placed under the Scheme, he is assigned a child mentor who provides him with guidance, advice

and with such sense of stability as may be lacking in the life of the child, the mentor is a role model for the child. Children with mild behavioural problems are appropriately screened and matched with trained adult mentors for a one to one relationship of emotional reconstruction. The programme involves meetings and activities on a regular basis between the mentor and the child to support the latter's need for a caring and supportive adult in life.

534. The law provides that "where the Permanent Secretary reasonably believes that:

- (a) A child may require assistance under the Scheme;
- (b) A child cannot adequately be dealt with under the Juvenile Offenders Act;
- (c) The parents of a child are refusing to take or cannot take any measures to provide the child with the assistance and support that he needs;
- (d) It is in the best interest of a child to be placed under the Scheme;
- (e) There is no alternative means of providing assistance and support to the child, he may, with or without the consent of the parents, apply to the District Magistrate, in such form as may be prescribed, for a mentoring order in order to have the child placed under the Scheme."

535. The law also provides that an application for a mentoring order must be accompanied by a full report from the Permanent Secretary which will give reasons for the application and for the choice of the child mentor. A psychological report is also needed.

536. After the passing of the amendment to the Child Protection Act, which sets up the Mentoring Scheme, a Mentoring Committee, screened and trained some 30 would-be mentors of whom 16 have been enlisted. Up to now training has been taking place with the mentors themselves, more particularly on their tasks and the ethics related to their charge. Modules for training them further have been developed and they have followed seven half day training sessions on the most important aspects of child development and psychology, with emphasis on how to deal with aggressive behaviour and difficult situations.

537. Consultations will be held with the Master and Registrar regarding the court proceeding for Mentoring Orders to be issued at the level of District Courts. Children to benefit from the scheme have been identified. A monthly stipend of Rs. 1,500 is payable to each of these mentors.

538. The Child Mentoring Committee advises Government and assists in administering and implementing the Scheme. It reviews at regular intervals the criteria for the recruitment of volunteers as child mentors and advises the Permanent Secretary accordingly. It conducts interviews for the recruitment of child mentors and considers the suitability of a child mentor in relation to a child for the purpose of a mentoring order. It also periodically assesses and evaluates the progress of children placed.

539. The Act provides for a Code of Ethics which states that a child mentor who has been assigned a child pursuant to a mentoring order shall be a caring and responsible adult in the life of the child and shall ensure the safety of the child in relation to any outdoor activity. He should build a trusting relationship with the child in order to identify the reasons for the child's problems, help the child develop an understanding of them, and guide the child as to how to tackle those problems. He will work towards improving, the child's self-esteem and self-confidence and encourage the child to develop his skills and participate in community-based after-school programmes and activities. Further, he will work towards improving the child's peer and parental relationships and provide all necessary guidance, and support to the child, with a view to bringing improvement in the child's behaviour and development.

540. In Rodrigues, 25 social workers were empowered on the CRC and responsibilities of parents. They were enlisted for child mentoring at village level.

Article 40

541. In 2009, the Community Service Order (Amendment) Act was adopted and provides for the suspension of a sentence of imprisonment on a minor aged 16 years and above, and makes him the subject of a Community Service Order.

542. The Probation of Offenders (Amendment) Act of 2009 makes provision for a curfew requirement applicable to minors who have been placed on probation by the Court. This will compel them to remain indoors on specified days and time, the purpose being to restrict their movement, thereby controlling their propensity to get involved in delinquent activities.

543. As a measure of last resort, children who are at risk in their family environment or in any other environment, are removed and placed as follows:

- In shelters for temporary accommodation, upon the issue of an Emergency Protection Order;
- In Residential Care Institutions, declared as places of safety under the Child Protection Act for more permanent residential care facilities upon the issue of Committal Orders;
- In foster families which are registered with the Ministry, for upkeep and development in a more familial environment.

544. As at date, there are a total of 431 children placed in different residential care institutions.

545. A building at Cap Malheureux has been retained to house a Shelter to relieve the load of residents at the existing shelter.

546. With a view to providing a better environment to 'institutionalized' children, the Ministry of Gender Equality, Child Development and Family Welfare has set up the Foster Care System through Regulations 2002 under Section 8 of the Child Protection Act. The Foster Care System provides a distressed child with a substitute family environment. As such it is mandated to identify prospective families/couples to foster children, register them as foster parents after satisfactory social enquiries and train them as well before undertaking the matching and placement of children with them through a Court Order. The system will also ensure that these children are given the appropriate care in their foster families while efforts are also deployed to follow on the biological families for possible return of the children at a later stage. Assistance is also given to other siblings in foster family if available. At present, a monthly token allowance of Rs. 1,500 is being paid to the foster parents to cater for the needs of the children placed with them. As to date, some 40 children are in foster care.

547. Given that the situation in terms of the number of reported cases is critical and the need is felt for more placements of children, the Ministry of Gender Equality, Child Development and Family Welfare is proceeding with an aggressive sensitisation campaign on foster care.

Article 37 (b)-(d)

Children in custodial settings

548. In October 2007, the United Nations Subcommittee on Prevention of Torture visited Mauritius and handed a set of preliminary confidential observations and recommendations to the authorities.

549. According to the NGO SAFIRE, many children are sent to the Rehabilitation Youth Centre (RYC) and Correctional Youth Centre (CYC), suggesting the decriminalization of certain offences committed by minors to reduce the number of incarcerated children and channel them toward truly rehabilitating alternative care institutions. SAFIRE recommended that the Ministries of Youth and Sports, of Social Security and of Gender Equality, Child Development and Family Welfare support the establishment of Drop-in-Centres/Day Care Centres for educational, recreational and counselling purposes to children and their relatives with a view to reintegrating children, and provide housing support to families and training of relevant personnel.

550. The Correctional Youth Centre is a detention centre for boys. It has an authorized accommodation of 43 and as at 31 December 2008 it housed 14 inmates (1 convicted and 13 on remand).

551. The Commission on the Prerogative of Mercy is an extra-judicial body set up under the Constitution, which advises the President of the Republic on the granting of pardons or respites, either indefinite or for a specified period, of the execution of any punishment imposed on that person, the substitution of a less severe form of punishment for any punishment imposed or the remission of the whole or part of any punishment imposed on that person for an offence or of any penalty or forfeiture otherwise due to the State on account of any offence.

552. The Transfer of Prisoners Act which was passed in 2001 allows for the transfer of prisoners to and from Mauritius to serve the remainder of their sentences. The designated countries to which the Act applies include countries which are parties to the Strasbourg Convention on the Transfer of Sentenced Persons and the Scheme for the Transfer of Convicted Offenders within the Commonwealth. Bilateral agreements on the transfer of prisoners have also been entered into with the Republic of Guinea (June 2003), the United Republic of Tanzania (June 2003), India (October 2005) and Madagascar (July 2008).

Article 34

Sexual exploitation and sexual abuse

553. The Ministry of Gender Equality, Child Development and Family Welfare is mandated to cater for the needs of children who are victims of Commercial Sexual Exploitation. Specialised services are being provided to these victims in a drop-in centre situated at Bell Village. The drop-in Centre is managed by the Mauritius Family Welfare and Planning Association (MFWPA) since 2003 in a building belonging to the Association itself. Following site visits effected by officers of the Ministry, it has been found that the building is not conducive to house the Drop-in Centre and alternative arrangements would have to be made.

554. The Mauritius Family Welfare and Planning Association has informed the Ministry that to provide better services, needful will have to be done for the provision of birth control pills to those who are in need of same. It was also proposed that issue of specialised services to be provided to pregnant teenagers/teenagers be accounted for.

555. The Ministry will equally be constructing a residential care for CSEC victims at Grand River North West. This procurement exercise has already been launched and the Bid Evaluation Committee will shortly be producing its report.

556. Crackdown operations are organised during the school year, jointly with the *Brigade Pour La Protection des Mineurs* and the National Children’s Council. These operations are carried out at bus terminals, commercial arcades, places of amusement including video game houses and other licensed premises likely to be visited by truant students with a view to discouraging them from loitering around, which activity exposes them to the ills of society and renders them at risk. The media fully supports this activity.

557. All children found guilty of school truancy are counselled on the spot by officers of the Ministry on the risks to which they are exposing themselves to, by not attending school. Their parents as well as the Rectors/Head Teachers of their respective schools are contacted and details on their whereabouts are given so that immediate actions are taken to ensure their safety. It is also found that some of these children are regularly absent from school and their parents seem to be unaware of same.

558. Though the Places of Amusement control regulations 1994 prescribes the opening and closing hours of Video Game Houses, some of these establishments are found to be operating during prohibited hours. This may constitute a source of temptation for children to play truant and take refuge therein. Besides video Game Houses, children are also found unaccompanied by their responsible parties in Guest Houses and other undefined premises. Immediate actions are taken and parents of these children are informed of their whereabouts.

559. In view of the appreciation of the public and the outcome of these crackdown operations, same are being sustained throughout the year during school days to ensure that students get the message that they should not loiter or roam in public places during school hours. Parents are also being continually sensitised on their responsibilities so that they can better protect their children from potential risks.

560. The Ministry of Education is coming up with a numeric attendance system which will track absences of children and will automatically inform parents by text messages on their mobile phones.

561. According to the Police, number of cases of commercial sexual exploitation and abduction are as follows:

	2006	2007	2008	2009	2010
Children involved in commercial sexual exploitation	4	6	7	5	4
Abduction of minors	7	9	6	9	5

Article 35

562. The Combating of Trafficking in Persons Act 2009 has been enacted to give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in persons..

563. The Child Development Unit caters also for international child abduction cases. Mauritius adhered to the Hague Convention on the Civil Aspects of Child Abduction on 01 October 1993. Officers at the Head Office enforce the Hague Convention on the Civil Aspects of Child Abduction Act. The main objectives of the Convention are to secure the prompt return of children wrongfully retained in another State and see to it that the rights of custody and of access under the law of one Contracting State are effectively respected in another State. The Child Development Unit is the Central Authority for Mauritius and as such has the following duties:

- To provide information on the whereabouts and the social background of the child;
- To apply to Court for the return of the child as well as securing the effective exercise of the right of the child. It is also to be noted that in this exercise there is need to constantly liaise with the Central Authority of countries involved under The Hague Convention;
- Acceptance of accession of contracting parties by member states necessitates amendments of schedules of the Act and this is a regular feature and demands resources.

564. There are currently 65 cases being dealt with at the level of the Central Authority. A high level Steering committee to monitor acceptance of contracting States and cases has been set up. Many countries have acceded to the Hague Convention on the civil aspects of international child abduction. The section dealing with child abduction is called upon to increase its activities and therefore the need for more officers for a more structured set up.

565. Pursuant to Article 36 of the Convention, the Truth and Justice Commission Act which was passed a few months ago provides for the setting up of the Truth and Justice Commission which shall conduct inquiries into slavery and indentured labour during the colonial period in Mauritius and determine, inter alia, appropriate measures to be extended to descendants of slaves and indentured labourers.

X. Optional Protocols to the Convention on the Rights of the Child

566. The Government has signed and ratified the Convention on the Rights of Persons with Disabilities and signed its Optional Protocol. Regarding the Commercial Exploitation of Children (CSEC), the Government has signed the Optional Protocols to the Convention on the Rights of the Child on 11 November 2001. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was ratified by Mauritius on 12 February 2009. Consultations are ongoing with a view to domesticating the provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Government announced that it had no objection to the proposed visit of the Special Rapporteur on the sale of children, child prostitution and child pornography to analyse the actual situation and make recommendations on measures to be adopted so as to enable Mauritius to ratify the Optional Protocol.