



**PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANISATIONS**

**MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS INTERNATIONALES**

No. 183/2015 (MMG/HR/28/1)

The Permanent Mission of the Republic of Mauritius to the United Nations and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference to its Note dated 31 March 2015 pertaining to the resolution 7/13 adopted on 27 March 2008 has the honour to attach herewith responses of the Government of the Republic of Mauritius to the questionnaire by the Special Rapporteur on the sale of children, child prostitution and child pornography to assess assistance and rehabilitation programmes for victims of sale and exploitation, including sexual exploitation.

The Permanent Mission of the Republic of Mauritius to the United Nations and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



**The Secretariat of the Office of the
High Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva**

QUESTION 1: Provide information on the legal, policy, institutional and budgetary framework developed by your country to establish assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.

A. LEGAL FRAMEWORK

The following Legislations are currently in force in Mauritius:

- (1) Child Protection Act (1994)
- (2) Child Protection (Amendment) Act 2005
- (3) The Combating of Trafficking in Persons Act (2009)

1. CHILD PROTECTION ACT (1994)

Regarding legislations on Child Prostitution, **section 14 (1) of the Child Protection Act (1994)** provides that any person who causes, incites or allows any child –

- (a) **to be sexually abused by him or by another person:**
 - (b) to have access to a brothel; and
 - (c) **to engage in prostitution,**
- shall commit an offence.

Moreover, any person who commits an offence under section 14 shall on conviction, liable to the following:

- (a) Where the victim is mentally handicapped, to penal servitude for a term not exceeding 30 years; and
- (b) in any other case, to a fine not exceeding 100,000 rupees and to penal servitude for a term not exceeding 20 years.

2. CHILD PROTECTION (AMENDMENT) ACT 2005

- **The Child Protection Act 1994 was further amended in December 2005 to make provision for all cases of child trafficking, abandonment and abduction.** The Act prohibits all forms of child trafficking and prescribes punishment up to 30 years imprisonment in established cases of child prostitution.

3. THE COMBATING OF TRAFFICKING IN PERSONS ACT 2009

- (1) Any person who commits an offence under section 11 shall, on conviction, be liable to penal servitude for a term not exceeding 15 years.
- (2) Any person who commits an offence under section 12 shall, on conviction, be liable to imprisonment for a term not exceeding 5 years and to a fine not exceeding 100,000 rupees.

It is envisaged to sign the MOU with two remaining stakeholders, namely the Ministry of Social Security, National Security and Reform Institutions and the Police Department shortly. Further, monthly meetings will be held with the Police Department to inter-alia, discuss such cases and to share information.

C. INSTITUTIONAL FRAMEWORK

PROTECTION AND ASSISTANCE TO VICTIMS

A day care Drop- In- Centre set up since December 2003 caters for the rehabilitative needs of juveniles involved in prostitution. It is operated by the Mauritius Family Planning Welfare Association.

The Drop-in-Centre is specifically designed to cater for and offer support services to all those who are victims and potential victims, and who are willing to come out of the scourge of trafficking including child prostitution.

The Drop-in Centre works in close collaboration with other stakeholders (Ministry of Education and Human Resources, Tertiary Education and Scientific Research, Ministry of Health and Quality of Life, Ministry of Social Security, National Solidarity and Reform Institutions, Police, Ministry of Social Integration and Economic Empowerment)

BUDGETARY FRAMEWORK

- The running expenses of the Drop-In Centre are met by the Ministry to the tune of Rs4 million on a yearly basis.
- Capitation grants at a rate of Rs252.18 daily is payable for every child placed in Residential Care Institution. This amount has recently been revised to Rs378.27.

A Residential Care/Drop-In Centre for CSEC victims is expected to be operational in the course of year 2015.

QUESTION 2: Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?

- Implementation of the Comprehensive Child Protection Strategy
- Reinforcement of existing legislation in line with the Convention on the Rights of the Child.
- Resources, both financial and human.
- Provision of legal support to victims.
- In depth capacity building for law Enforcement Officers.
- Stepping up of IEC Campaigns

- Social enquiries and assessments are carried out with all persons, establishments/institutions involved in the matter with a view to designing a care plan for intervention and rehabilitation.
- With respect to their needs, it is ensured that siblings are placed in the same institution/foster homes so that they are not separated.

QUESTION 6: How do you ensure access of child victims to support services?

- In order to ensure accessibility and proximity service delivery, the Child Development Unit decentralised its services through 6 dedicated Outstations across the country to facilitate access to support services for child victims.
- A Hotline is operational on a 24 hour basis to report cases of child violence. Cases may be reported incognito or openly.
- Officers from CDU Outstations are on-call on a roster basis to attend to urgent cases of child violence reported after office hours.
- A guideline has been worked out for interventions on cases of child victims.
- On-going information campaigns are carried out at schools/colleges, Women, Youth and Community Centres and through the media to inform the public of the services available for victims of child violence.
- Networking is done with community-based social groups to identify victims of child violence.
- Visits are effected by Officers for enquiry and to assess the situation of the victims and take appropriate actions.
- Training on CSEC for Officers/ Social Workers dealing with children is organised every year.
- Rapid interventions are done for cases of sexual violence and other cases where children are reported to be in immediate danger.
- Protocols have been signed with several authorities dealing with children regarding how to proceed with suspected or identified cases of child violence for a more coordinated approach, whereby each Party knows exactly its responsibilities.
- As at date, Protocol of collaboration have been set up with 9 Stakeholders as follows:
 - (1) Prime Minister's Office (Civil Status Division)
 - (2) Ministry of Local Government
 - (3) Ministry of Social Integration and Economic Empowerment
 - (4) Ministry of Education, Human Resources and Tertiary Education, and Scientific Research
 - (5) Ministry of Health and Quality of Life
 - (6) Ministry of Youth and Sports
 - (7) Attorney General's Office
 - (8) National Children's Council
 - (9) Ministry of Tourism and Leisure

background to help them developing a positive attitude towards life's difficulties and coping with day to day challenges.

- Mauritius, as any other country, may not be spared of the existence of street children. The study carried out in 2006 by NGO Service d'Accompagnement, de Formation, d'Insertion et de Réhabilitation de l'Enfant (SAFIRE) to define and quantify the street children phenomenon in Mauritius, with a view to finding appropriate solutions to the related problems, stated that our country does have children living in street situations. There are only few NGO's working with children in street situations with the mission of reintegrating them with their families or finding other secure environments. Children are driven onto the streets by multiple factors, the key ones being poor parental presence in their lives as well as their poor socio-economic conditions.

**Ministry of Gender Equality, CD and FW
May 2015**