

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

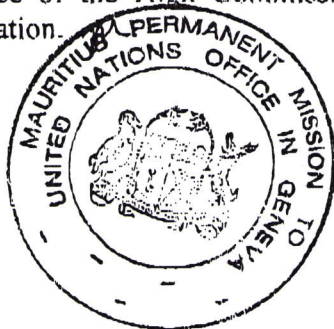
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The Permanent Mission of the Republic of Mauritius to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to refer to its Note dated 18 February 2010 in connection with the request of information on the study to be prepared by the Office of the High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of Migration.

The Permanent Mission of Mauritius wishes to enclose herewith the following documents:

- (i) Policies and practices regarding the protection of the rights of the child in the context of migration (Annex 1);
- (ii) Conditions of employment of migrant workers (Annex 2)

The Permanent Mission of the Republic of Mauritius to the United Nations Office 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.



Geneva, 4 May 2010

The Secretariat
Office of the High Commissioner for Human Rights
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CH-1211 Geneva 10

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OHCHR REGISTRY

14 MAY 2010

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ANNEX I

**POLICIES AND PRACTICES REGARDING PROTECTION OF THE RIGHTS OF
CHILD IN THE CONTEXT OF MIGRATION**

1. In accordance to Passport Regulations 1969, Mauritius Passport is issued to a minor unless his/her responsible parents have filled in the application form referred to in regulation 4(1) and have given their authorization for the issue of the passport.

In case the whereabouts of any one of the responsible parent is unknown, an order from the Judge is obtained re authorisation for the issue of a Mauritius Passport to a minor.

2. By virtue of section 9 of the Immigration Act, Residence Permit/Occupation Permit are issued to minor child/children to stay in Mauritius on the strength of the residence/work permit of their responsible parent and they leave the country together with their parents upon expiry of the residence permit.
3. Section 11 of the Immigration Act under the heading "Persons landing with minors" stipulates that:

- (i) Where a minor has been admitted to Mauritius under the charge of any person and, at any later time the presence of that minor in Mauritius becomes unlawful by virtue of this Act, the Immigration Officer may require that person to make such arrangements as may seem suitable to the Immigration Officer to ensure the departure of the minor from Mauritius within such time as the Immigration Officer may determine.
- (ii) Where a minor has been admitted to Mauritius under the charge of any person and, at any later, the Immigration Officer is informed that such person is about to leave Mauritius without the minor, the Immigration may, by order, require that person to make such arrangements as may seem suitable to the Immigration Officer to ensure the departure of the minor from Mauritius within such time as

the Immigration Officer may determine, and to provide for the care and maintenance of the minor until his departure from Mauritius.

(iii) The Immigration Officer may take such measures as may be necessary to prevent the person to whom an order may under subsection (2) is directed from leaving Mauritius until the order has been complied with.

4. Section 5(2) of "The Combating of Trafficking in Persons Act 2009" also empowers the Immigration Officer to profile passengers at the Border Control with a view to checking relationship of a minor accompanied by aged person or other person not being his own parent/guardian to detect trafficking of children such as child prostitution, child labour or cases of paedophilia.

ensure that the decent living and satisfactory requirements are being complied with.

- In case of non-observance of the workers rights, the employer is given a delay of 1 month to take corrective measures.
- Follow-up inspections are also carried out to ensure as to whether the employer has taken corrective measures to resolve workers' grievances and rights.
- Moreover, conciliation meetings are being held at the level of the Special Migrant Workers' Unit and the workplace for settlement of disputes following complaints made by migrant workers at the Migrant Workers' Unit, with most being resolved within a week. Recalcitrant employers are being sued civilly and criminally for non-compliance with a provision of the labour legislation or a clause of the vetted contract of employment.