**REPUBLIC OF MAURITIUS**

**GENERAL**

1. In Mauritius there are no reported cases of child, early and forced marriages.

In fact Section 144 of the Mauritian Civil Code clearly stipulates that "no one can contract a marriage before 18 years of age".

Nevertheless, Section 145 of the Mauritian Civil Code ,states that a minor of 16 years of age but under 18 may contract marriage with the consent of his/her father and mother or legal guardian exercising parental authority. In the absence of the above conditions, the Judge in Chamber may grant a dispensation of age if it is in the best interest of the minor.

2. In relation to the issue of laws prohibiting violence against women and girls, in 2016 the Protection from Domestic Violence Act (‘the Act’) was amended to:

a. Increase the powers of Enforcement Officers;

b. Widen the definition of term “domestic violence”;

c. Provide that a person who does an act of domestic violence against his spouse, a child of his spouse or another person living under the same roof shall commit an offence; and

d. Provide for duties of the police in cases reported under the Act and empowering a police officer not below the rank of Assistant Superintendent to arrest a person where, following an act of domestic violence, physical injury has ensued.

1. **Assistance to children victims of violence**

The Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW) was set up in 1995 and it works towards ensuring that the provisions of the Convention on the Right of the Child (CRC) are being met and respected. It also enforces the Child Protection Act.

As at date, 22 Community ChildWatch Committees are operational in high risk areas to ensure early detection and reporting cases of children at risk.

The CDU provides assistance to children victims of abuse through:

* Intervention in emergency cases and other cases of child abuse;
* Counselling services and psychological support;
* Removal of children exposed to harm through Court Orders;
* Rehabilitation and other support to minors;
* Reintegration of minor back in their family environment.

As a measure of last resort, children involved in cases of early and forced marriage and vulnerable children victims of violence are placed in Residential Care Institutions (RCIs) under a Court Order. Out of 18 RCIs accommodating children victims of abuse, 5 are Government owned shelters (3 are managed by NGOs and 2 by the National Children’s Council). 13 RCIs are managed by Charitable Institutions/Non-Governmental Organisations. The RCIs cater for the needs and education of minors. They also provide other support such as training and capacity building.

Concurrently, the Family Welfare and Protection Unit provide the following services for victims of domestic violence, including their children:

* first hand counselling;
* psychological counselling;
* legal advice;
* assistance to victims of domestic violence; and
* counselling services to perpetrators.

1. **The National Children’s Council**

The National Children’s Council (NCC) was set up on the 01 October 1990 as one of the measures to safeguard the rights of children. The NCC ensures that the state and civil society work together to promote the social, personal development and wellbeing of children. Consultations and seminars are organised by the Council to identify measures to combat all sorts of discrimination to which children are exposed through social and cultural grounds. The NCC also organises activities and implements projects for children, thereby apprising them on their existing rights whilst concurrently guaranteeing that these rights are respected. Similarly, sensitisation campaigns on HIV/AIDS and on reproductive health are held by the council to inform children of the free health care facilities available. Children are also encouraged by the NCC to share their opinion on matters related to them like education.

1. **Protocol to the African Charter on Human and People`s Rights on the Rights of Women in Africa (Maputo Protocol)**

Mauritius acceded to the Maputo Protocol on 23 June 2017 with reservations. With respect to Article 6(b) and 6(c) of the Protocol, the Republic of Mauritius has declared that it shall not take any legislative measures where these would be incompatible with the provisions of the laws in force in Mauritius.

**Article 6 (b, c) of the Protocol provide that:**

“States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

b) the minimum age of marriage for women shall be 18 years;

c) monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including in polygamous marital relationships are promoted and protected.”

1. **Forum on the theme: “Young Motherhood: Challenges and Way Forward”**

There have been increased efforts to inter alia address the issue of teenage pregnancy, its causes and implications from a medical and socio-economic perspective. In that context, a Forum on the theme: “Young Motherhood: Challenges and Way Forward” was organized on 04 March 2017 to:

* enable teenage mothers to voice out their concerns and seek advice and assistance from specialists; and
* discuss the issues, concerns and challenges of young motherhood and propose actions to address them.

Additionally, activities which aim at empowering adolescent girls mostly school drop outs, aged 13 to 18 years old, have been organized using sports and life skills education so that they can make informed life choices.

1. **National Coalition against Domestic Violence Committee**

In 2015 a National Coalition against Domestic Violence Committee was set up to ensure that victims of domestic violence are given immediate shelter in a Government institution and provided with a job and a house within a reasonable time frame to lead a normal life anew.”

Subsequently, on 6 April 2016, the Committee launched its report which has proposed a series of recommendations advocating a more pragmatic and coordinated approach to address the scourge of domestic violence in Mauritius to be implemented by the Ministry of Gender Equality, Child Development and Family Welfare. These include inter alia, the setting up of a **Command Centre Against Domestic Violence** with the following responsibilities:-

1. Act as a **one stop department** for all issues pertaining to domestic violence including support to all members of family;
2. Provision of an integrated support service to victims of domestic violence;
3. Liaise with authorities concerned for provision of accommodation and employment to victims of domestic violence;
4. Implement Domestic Violence Information System (DOVIS) for the harmonisation of data collection between the Ministry of Gender Equality, Child Development and Family Welfare, Police Department and the Judiciary;
5. Undertake training and awareness programs to combat domestic violence;
6. Recommend and implement appropriate policies to combat domestic violence;
7. Multi-sectoral collaboration with Attorney General’s Office, Ministry of Health, Judiciary/DPP/Police, SOS Femmes and Civil Society organisations to ensure that victims are given fast track assistance and law is enforced; and
8. Set up an Observatory for gender based violence.

***Prime Minister’s Office 16 November 2017***