G**overnment of the Republic of Mauritius**

**Submission of inputs for the Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other children sexual abuse, focusing on *“Reparation for child victims and survivors of sale and sexual exploitation”***

1. **Introduction**

The State of Mauritius is committed to, and is continuously progressing towards, a society where the rights and the best interests of children are amongst the primary concerns. There are several potential external factors that can lead to the sale and sexual exploitation of children in Mauritius, such as, poverty, unemployment and limited sexual education as well as early drop out from schools.

* 1. COVID-19 Pandemic

Mauritius has not been spared from the COVID-19 pandemic. School closures, social distancing and confinement were put in place to curb the spread of the virus, however, these have resulted in increased risks for girls to different forms of sexual exploitation. One of the challenges were lack of information which could guide the girl child in terms of their education, career, support, safety and personal development.

After the removal of the sanitary restrictions in June 2022, all activities regarding awareness campaigns and sensitisation campaigns are being undertaken vigorously in all quarters, especially in schools, children’s clubs, social welfare and community centres, amongst others.

School closures during the COVID-19 pandemic have led to an increase in internet access and mobile cell phones subscriptions. Spending more time on virtual platforms can leave children vulnerable to online sexual exploitation and grooming by predators who are constantly looking for preys, often hiding behind a fake profile. Increased and free time online may also expose children to potentially harmful, violent and age-inappropriate content.

1. **Factors pertaining to the exploitation of children**

The risk of exploitation of children are particularly high when there is: -

* Peer pressure;
* Lack of necessary knowledge, skills and resources to surf safely on the internet;
* Prolonged absence of one or both parents with the new economic era and high competitiveness of businesses;
* A lack of parenting skills; and
* insufficient resources within the families.

1. **Redress and reparation**

Sections 16 and 17 of the Combatting for Trafficking in Persons Act 2009 have made provisions for Compensation to victims of trafficking and Payment of compensation.

Furthermore, according to a Protocol between the Office of the Director of Public Prosecutions (DPP) and the Intermediate Court, children are called upon to depose during a special session, after all formal witnesses have been heard in order to ensure that child victims are not intimidated by the court process and that they do not unnecessarily attend court since the possibility of a postponement exists. The end result is to ensure that the child attends court only once.

3.1 Rehabilitation

A Residential Drop-in Centre was made operational since May 2016, to cater for the rehabilitative needs of girl victims of sexual abuse and commercial sexual exploitation including child trafficking.

The Ministry of Gender Equality and Family Welfare has proposed the setting up of a Residential Care Institution for boys victim of trafficking in persons in the National Costed Action Plan on Trafficking in Person which is being finalised at the level of the Prime Minister’s Office. This will ensure sustainability in the recovery and rehabilitation of male victims of sexual abuse and exploitation and provide efficient services to the victims such as specialized support services, such as psychotherapy and the reconstruction stage. Children will be sent back to school to resume their studies or training courses with a view to empowering them for their gradual re-insertion in mainstream society.

1. **Report on the Phenomenon of Child/Revenge Pornography**

The Ministry of Gender Equality and Family Welfare in collaboration with the University of Technology Mauritius conducted a study on the Phenomenon of Child/Revenge Pornography. The report is being vetted by the Attorney General’s Office. The recommendations made in the report will help stakeholders to also address the issue of online exploitation of children and to provide a better “*prise en charge*” of victims.

1. **Forms of reparation provided to child victims and survivors**

Cases of child abuse are reported to the Police and on a hotline 113 to the Child Development Unit (CDU). Multi-disciplinary teams which consist of social workers, child care workers, and psychologists are available on a 24 hours basis to give assistance in cases of child abuse. With the introduction of the new Children’s Act 2020, further provisions have been made to cater for the best interest of the child. Furthermore, all penalties have been increased in the Act for better protection of the children.

The Child Rescue and Protection Services of the CDU ensures accessibility and proximity of service delivery in respect of child protection. It provides immediate assistance, protection and follow-up, as appropriate to children victims of violence, and abuse, especially sexual abuse. Services are provided in a one stop shop child friendly system through a team of professionals attending to the immediate needs of children victims of abuse.

Furthermore, the Child Rehabilitation Services is mandated to ensure rehabilitation between the children and their biological parents through regular parental visits, with the aim of returning them to their family.

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

1. First hand counselling;
2. psychological counselling;
3. legal advice
4. assistance to victims of domestic violence and;
5. counselling services to perpetrators.

The Community Child Watch Committees, which were set up in risk areas, act as a surveillance mechanism to identify children, vulnerable to violence and mostly at risk and to report any suspected case related to children to the MGEFW for appropriate action.

The National Children’s Council also carries out regular talks/sensitization campaigns on child protection, child abuse, teenage pregnancy and related complications, sexually transmitted diseases, Commercial sexual exploitation of children, gender-based violence, Teen Dating Violence and other related issues in schools, colleges, women centers and Non-Governmental Organisations. It is a means to empower both genders on these social malpractices.

The National Children’s Council conducts the National Parental Empowerment Programmes also known as Atelier Partage Parents to empower parents, duty bearers, betrothed couples in view of marriage with parenting skills and equip them with better coping mechanisms. Children are also sensitized on the Article 28; Right to Education of the UN Convention on the Rights of the Child.

Victims are provided with appropriate psycho-social supports. Psychological counselling; referral for legal advice; family therapy; referral to other institutions and removal of victims from place of danger and placement in shelter/institutions are provided through the Child Development Unit (CDU).

1. **Good practices initiated by stakeholders**
   1. Newly enacted legislations to protect children

The Children’s Act 2020, the Children’s Court Act 2020 and the Child Sex Offender Register Act 2020 were passed in the National Assembly in December 2020 with a view to harmonizing all laws relating to good development, well-being and protection of children.

These Acts came into effect on 24 January 2022, following their proclamation and can be accessed on <https://gender.govmu.org/Pages/Legislations.aspx>.

The Children’s Court Act provides for a child-friendly set-up; to adjudicate cases of children who are victims of abuse, need to deal with their perpetrators and for who are considered as juvenile offenders. The Children’s Court consists of a Protection Division and a Criminal Division.

The Children’s Act 2020 makes provision for the establishment of a ‘Child Services Coordination Panel’, wherein it is stipulated that there shall be within the Ministry, a Child Services Coordination Panel which shall be responsible of the coordination of all activities relating to the children.

5.2 The Child Services Coordinating Panel

The Child Services Coordinating Panel was constituted on 30 September 2021 at the seat of the Ministry of Gender Equality and Family Welfare. It consists of representatives from the: Ministry of Health and Wellness; Ministry of Education, Tertiary Education, Science and Technology; Ministry of Finance, Economic Planning and Development; Ministry of Social Integration, Social Security and National Solidarity; Ministry of Youth Empowerment, Sports and Recreation; Mauritius Police Force; Probation and Aftercare Service and NGOs.

The panel:

a) coordinates public services in relation to children as well as monitor any administrative arrangements to support coordination of Government’s activities in relation to national level;

b) collaborates with relevant stakeholders with a view to giving better protection to children;

c) consider cases referred to it by the Ministry, make recommendations to any Ministry or other organisations and perform such other functions as may-be prescribed.

The Ministry of Gender Equality and Family Welfare is in the process of seeking services of consultant to prepare a Ten-Year Strategic Plan for Children.

* 1. Intervention during cases of online child sexual abuses

The Police Department also intervenes to determine whether minors are involved in the Online Child Sexual Abuse cases. It encourages victims to contact the Cybercrime Unit to either register their complaints at Police Stations nearest to their place of residence or report same on the Mauritian Cybercrime Online Reporting System (MAUCORS), which is an online reporting system setup by the Computer Emergency Response Team- Mauritius (CERT-MU).

* 1. National Human Rights Institutions

Mauritius has established 7 National Human Rights Institutions (NHRIs) to ensure the protection of the rights of its people, namely;

1. the Office of the Ombudsman, under the Ombudsman Act 1969;
2. the National Human Rights Commission under the Human Rights Act 1998;
3. the Ombudsperson for Children’s Office, under the Ombudsperson for Children’s Act 2003;
4. the Equal Opportunities Commission, under the Equal Opportunities Act 2008;
5. the Independent Police Complaints Commission, under the Independent Police Complaints Commission Act 2016;
6. the Ombudsperson for Financial Services, under the Ombudsperson for Financial Services Act 2018; and
7. the Ombudsperson for Sports.

Complaints of human rights abuses may be reported to above mentioned institutions. NHRIs regularly carry out appropriate sensitisation activities in collaboration with State bodies and civil society organisations.

* 1. The Office of the Ombudsperson for Children

The office of the Ombudsperson for Children which is an independent National Human Rights Institution is mandated to:

1. ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities, individuals and associations of individuals;
2. promote the rights and interests of children; and
3. promote compliance with the Convention on the Rights of the Child.

The Office of the Ombudsperson for Children Office investigates independently into all alleged cases of child abuse reported to them in line with their mandate.

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