

United Nations Special Rapporteur on the Elimination of Discrimination Against Persons Affected by Leprosy and their Family Members.

1. There is a low prevalence of Leprosy in Mauritius. The prevalence rate has been less than 1 case for 10,000 inhabitants for the last 5 years and only 8 confirmed cases have been reported during that period. No new child cases were confirmed for 10 years from 2008 to 2018. The disease does not appear to be the source of stigma as in other countries such as India and Bangladesh. However, although the country bears the low burden of the disease, due to its long incubation period, the condition of elimination of transmission could be reversed unless continuous efforts are maintained throughout.

A. Legislation and Institutional set up

2. People suffering from leprosy enjoy all the rights that any individual enjoys under the laws of Mauritius. The law governing non-discrimination are to be found in various pieces of legislation, affording protection to every citizen and such protection also include persons affected by any kind of ailment or disability as provided hereunder-

- **The Constitution**

3. The Constitution of Mauritius provides an equivocal right for every citizen to be treated equally and to live a life free from discrimination.
4. Section 3 of the Constitution provides inter alia-

“It is hereby recognized and declared that in Mauritius there have existed and shall continue to exist without discrimination by reason of race, place of origin, political opinions, colour, creed or sex but subject to respect for the rights and freedoms of others and for the public interest, each and all of the following freedoms-

- a) the right of the individual to life, liberty, security of the person and the protection of the law;*
- b) freedom of conscience, of expression, of assembly and association and freedom to establish schools; and*
- c) the right of the individual to protection for the privacy of his home and other property and from deprivation of property without compensation, and the provisions of this Chapter shall have effect for the purpose of affording protection to those rights and freedoms subject to such limitations of that protection as are contained in those provisions, being limitations designed to ensure that the enjoyment of those rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest.”*

5. Section 16 of the Constitution, inter alia, provides that “no law shall make any provision that is discriminatory either of itself or in its effect”. The term “discriminatory” is defined as “affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour, creed or

sex whereby persons of one such description are not made subject or are accorded privileges or advantages that are not accorded to persons of another such description”.

6. The Constitution makes provision under section 17 for redress to be afforded by the Supreme Court to any individual where his rights under Chapter II of the Constitution have been, are being or is likely to be contravened.

- **The Equal Opportunities Act**

7. Sections 5,6 and 7 of the Equal Opportunities Act provide for three types of discrimination, namely Direct Discrimination, Indirect Discrimination and Discrimination by Victimisation, and any aggrieved person including persons with disabilities may bring a complaint to the Equal Opportunities Commission as provided under section 28 of the Act, setting out the details of the alleged discrimination.
8. Section 9 of the Equal Opportunities Act inter alia, provided for an equal opportunity policy which reads as follows-

1) “Every employer shall, in conformity with such guidelines and codes as may be prepared by the Commission under section 27 (3) (f), draw, up and apply, within such delay as may be specified by that Commission, an equal opportunity policy at his place of work with a view to minimizing the risk of an employee being discriminated against and to promote recruitment training, selection and employment on the basis of merit”

9. Section 29 of the Equal Opportunities Act empowers a person who is unable to lodge a complaint because of an impairment, to authorize another person to act on his behalf in relation to his complaint.

- **The Worker’s Rights Act**

10. Sections 5 (1)(a), 5 (1) (b) and 5 (5) of the Worker’s Rights Act 2019 provide inter alia that-

1) (a) “Every employer shall ensure that the remuneration of a worker shall not be less favourable than the remuneration of another worker performing equal work of equal value.”

(b) where an employer has recourse to the services of a job contractor, the job contractor shall ensure that the remuneration of any worker employed by him shall not be less favourable than the remuneration of a worker employed by the principal employer and performing work of equal value.

- 2) *The following criteria shall apply in determining whether there exists an element of discrimination, based on the sex of a worker or between workers of the same sex for any work or class of work payable under any agreement-*
- (a) the rates and types of remuneration shall be based on an objective job evaluation of the work performed instead of on the worker's sex or personal attributes;*
 - (b) any job classification system shall be based on objective criteria irrespective of the worker's sex;*
 - (c) the work of a worker of the same or different sex shall be given the same value for a like job or a work rated as equivalent in the same employment;*
 - (d) for work which is not exclusively or predominantly performed by female workers, the extent to which-*
 - (i) the work or class of work calls for the same, or substantially similar degrees of skill, effort and responsibility; and*
 - (ii) the conditions under which the work is to be performed are the same or similar;*
 - (e) for work which is exclusively or predominantly performed by female workers, the rate of remuneration that would be paid to male workers with the same or substantially similar skill, responsibility, and service performing the work under the same or substantially similar degree of effort.*

- **Disabled Persons Act**

11. Although “leprosy” is not defined as a disability, the Training and Employment of Disabled Persons Act has been amended in 2012 to make better provision for the promotion of the access of persons with disabilities to employment. The definition of “disabled person” has been reviewed under the said Act and now encompasses a person who is certified by the Training and Employment of Disabled Persons Board to have a long term physical disfigurement or physical, mental or sensory disability, including a visual, hearing or speech functional disability, which gives rise to barriers or prejudices impeding his participation at an equal with other members of society in major life activities, undertakings or fields of employment that are open to other members of society and, of course, who is willing and able to work.

B. Preventive Measures against Leprosy

12. Under Part VII of the Public Health Act, namely sections 122 to 138 (see Annex A) provide for, inter alia, the establishment of a leper hospital, notification of leprosy, duty of magistrate, detention order, lawful detention order, which are sections only applicable to detainees affected with leprosy.
13. Health Services for Leprosy in Public Sector (screening, diagnosis, treatment, follow up, contact tracing) are free of charge to everyone. Any suspected case at Primary Health Care Level is referred to Dermatology department at Victoria Hospital. Once confirmed appropriate therapies are given in accordance to World Health Organization (WHO) guidelines. All confirmed cases are reported to Ministry of Health and Wellness.
14. All migrants' workers (mainly from India and Bangladesh) are required to undergo screening before travel to Mauritius; also screened after arrival in Mauritius. The first Annual Plan is being elaborated for FY2019/2020 to strengthen the health services. The Annual Plan has set up 3 pillars of activities.

C. Challenges

Imported Cases

15. Mauritius has very limited burden of the disease as having the last child new case in 2008, but we still experience one new case every year mainly in addition to imported cases. We would need to strengthen contact tracing and IEC campaigns to prevent affected population from developing leprosy and, eventually, to maintain elimination of Leprosy transmission in the country (zero new child case).

Strengthening disease surveillance

16. Case recording is not centralized nor electronically stored, which causes challenges in contact tracing and data reporting to World Health Organization. Data surveillance system should be improved to take appropriate actions based on high- quality data.

Training of Clinical Professionals

17. Since leprosy becomes quite rare for majority of health workers in Mauritius, it becomes more difficult to build expertise on an on-the-job basis. Thus, off-the-job training would enable health professionals to refresh and upgrade their skills and knowledge to diagnose and cure patients at early stage.
18. The WHO has granted financial support of USD 4800 in 2019 to implement activities in accordance with National Annual plan for Elimination of Leprosy transmission. Two one day workshops have been organized for medical and para medical professionals in September and October 2019 respectively.

Public- private engagements

19. There is a need to strengthen the engagement of the private sector in the elimination of leprosy. No major activities have been organized since October 2018.

D. Protection of persons living in vulnerable situations

20. In view of eradicating extreme and chronic poverty and creating an equitable and inclusive society, a full-fledged Ministry of Social Integration and Economic Empowerment (MSIEE) was created in 2010. The mission of the Ministry is to empower and support the vulnerable groups registered and eligible under the Social Register of Mauritius (SRM). The aim is to mainstream the vulnerable groups in society and to enhance their quality of life by providing an effective and efficient service delivery based on the principles of equity, fairness and impartiality. The MSIEE operates since November 2019 as a Division under the aegis of the Ministry of Social Integration, Social Security and National Solidarity.
21. In 2016, the Social Integration and Empowerment Act was enacted, making provision for the implementation of Empowerment Schemes to empower vulnerable families eligible under the Social Register of Mauritius. The Act makes provision for the establishment of Empowerment Programmes and Schemes to combat absolute poverty, provide support and other services to persons living in absolute poverty and to support persons living in absolute poverty in integrating the mainstream society.
22. In Mauritius, Education is free and accessible to all. Textbooks are free in primary schools. Secondary students registered in the Social Register of Mauritius (SRM) are also provided with textbooks. The Ministry of Social Integration, Social Security and National Solidarity has created various Schemes for the benefit of children including girls, who attend a registered pre-primary, primary, secondary, special education need schools or pre-vocational institutions are provided with free school materials.
23. The School Premium Scheme makes provision for a school premium to student who have successfully completed the Grade 9 examinations (Rs. 15,000) or School Certificate examinations (SC) (Rs. 25,000) or the Higher School Certificate (HSC) (Rs. 35,000) or their equivalents and Rs. 40,000 who have completed their undergraduate degrees. This acts as an incentive to the children to pursue higher studies. It has to be highlighted that for the academic year 2018, 68%, of the SC beneficiaries and 71% of the HSC beneficiaries were girls.
24. The Free Examination Fees Scheme implemented since 2017 has facilitated the payment of examination fees for children of SRM beneficiaries and given them the opportunity to improve their performance. Under this Scheme, they are exempted from paying fees for re-sitting the SC and HSC examinations at a second attempt. 57% of the beneficiaries were girls for the SC examinations and 61% for the HSC examinations. This is highly supportive for the protection and promotion of the right to education and training of girls in Mauritius.

25. Moreover, Asian Languages such as Hindi, Urdu, Tamil, Telugu, Marathi, Mandarin, as well as Arabic Language and Kreol Morisien are taught as subjects in our primary and secondary schools.
26. As regards the Mauritian Sign Language, the first phase of the Mauritian Sign Language Project has successfully been completed with:
- a) the publication of the first volume of the Mauritian Sign Language Dictionary;
 - b) the introduction of the Mauritian Sign Language in pre-primary and primary schools for the deaf;
 - c) the production of a Mauritian Sign Language version of the National Anthem; and
 - d) the training of teachers, parents, interpreters and deaf news presenters in Mauritian Sign Language have been completed successfully. The Society for the Welfare of the Deaf which caters for deaf students has launched on 23 September 2019, the online Mauritian Sign Language Dictionary and its new website.
27. The Creche Scheme, which provides for an allowance of up to Rs. 2000 to registered Day Care Centers for eligible children up to 3 years of age, aims at encouraging unemployed mothers to take up jobs and training as they have a guarantee that their children are being taken care of under the said scheme. Under the Child Allowance Scheme, a sum of Rs. 929 per child, aged between 3 to 23 years of age, is paid up to a maximum of three children per household. This acts as an incentive for parents to send their children to school regularly.
28. The Ministry of Social Integration, Social Security and National Solidarity has also designed and implemented a Training and Placement Scheme which provides for short term tailor-made training courses for unemployed beneficiaries. The aim of the Scheme is to enable women specially to acquire required skills to start small business or to become more employable. Training is dispersed in housekeeping operations, eco bag making, pastry, apiculture, production of quail eggs and others. Another programme developed with regard to training is the Life Skills Programmes under the aegis of the National Empowerment Foundation (NEF) since June 2018.
29. Additionally, skills-building courses for work, health and life are dispensed to the beneficiaries of the NEF. The different modules covered under the programme are Introductory Session on Life Skills Education, Self Esteem- Intra/ Interpersonal Skills, Communication within the family unit, Reproductive Health and Contraceptive measures, Communicable and Non Communicable diseases, Roles and Responsibilities of each member of the family, Importance of education and family Budgeting, Entrepreneurship skills / Preparing for workplace, Citizenship / Community Mobilization/ Ensuring good neighborhood , substance Abuse, Home Maintenance, Gender Equality, Moral Values and Food Wastage. Since its inception, some 881 beneficiaries from Mauritius and Rodrigues have been trained. Health screening are also carried for beneficiaries and they are provided with appropriate referrals to the Ministry of Health and Wellness.
30. The Ministry of Social Integration, Social Security and National Solidarity has also come up with a Social Housing Scheme. The aim of this Scheme is to improve the living

conditions and environment for vulnerable families eligible under the Social Register of Mauritius (SRM). Those families registered under the SRM and who are owners of a plot of land but without the means for building a house can benefit from the Fully Concrete Housing unit and reimburse only 25% of the cost over a period of 15 to 20 years.

31. The National Empowerment Foundation has set up nine Community Working Groups (CMGs) in each district and one in Rodrigues. An effective coordination among public and private sector actors and civil society organizations is essential in order to ensure that proposals made in the fight against poverty alleviation strategies. The main functions of the Community Working Groups are to support beneficiaries under the SRM at grass root level, increase access to Government and other services for empowerment of beneficiaries and the coordination and participation of all stakeholders in the fight against poverty, among others.

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