**Human Rights Division**

**Ministry of Foreign, Affairs, Regional Integration and International Trade**

## Materials on women’s and girls’ human security in the context of poverty and inequality

**1. Introduction**

Mauritius is a democratic state, and the rights of its citizens are guaranteed by the Constitution of the Republic of Mauritius which is regarded as being the Supreme Law. It firmly establishes the unequivocal right of every citizen of Mauritius to be treated equally and prohibits discrimination on the grounds of race, place of origin, political opinions, colour, creed or sex, subject to the rights and freedoms of others and also provides that no law shall be discriminatory in itself or in effect.

Chapter II of the Constitution, which can be accessed on the following link <https://mauritiusassembly.govmu.org/Documents/Legislations/constitution.pdf>, guarantees the enjoyment of fundamental rights and freedoms which include protection from slavery and forced labour and protection from inhuman treatment amongst others. Section 6 stipulates that no person shall be held in slavery or servitude, and no person shall be required to perform forced labour. Section 7 prohibits the torture or inhuman or degrading punishment or other such treatment to any person. Moreover, the Combating of Trafficking in Persons Act, enacted in 2009, caters for offences of human trafficking and contains provisions for compensation.

The Constitution therefore guarantees to minority groups the right to equal protection and benefit of the law without discrimination, thus upholding and strengthening an environment conducive to equal opportunities and equality for all Mauritians.

**2. Legislative Framework**

An array of legislations has been enforced in Mauritius that includes;

1. Equal Opportunities Act (EOA)

TheEOAcame into force in 2012 and further reinforces the protection from discrimination and the right to equal opportunities in various areas of life such as employment, access to certain facilities and services (including education), by prohibiting, discrimination, against a person on the ground of his status. “Status” is defined as including age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation.

The Equal Opportunities Act provides for equal access to opportunities as it incorporates all the different grounds of discrimination covered under Section 3 and 16 of the Constitution as well as age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex and sexual orientation in areas dealing with employment, education, the provision of accommodation, goods, services and other facilities, sports, the disposal of immovable property, admission to private clubs and premises open to the public. The Equal Opportunities Act was amended in 2011 to enable the setting up of an Equal Opportunity Commission (EOC) in April 2012 to eliminate discrimination in all sectors as well as to promote good relations between people of different status. This Act coupled with the setting up of the Commission and the Tribunal contributes to address the issues of Gender Equality and discrimination against women and ensure enhanced participation of women. The EOC not only examines and investigates into complaints referred to it but it equally investigates into cases where it believes that an act of discrimination may have been or may be committed.

1. Workers’ Rights Act (WRA)

The WRA was enacted to reiterate the principle that all citizens of Mauritius are entitled with the same rights in respect to access to income generating opportunities and terms and conditions of employment. The WRA provides that no worker shall be treated in a discriminatory manner by his employer in his employment or occupation and no person shall be treated in a discriminatory manner by a prospective employer in respect of access to employment or occupation.

Discrimination, in relation to the above provisions, includes affording different treatment to “different workers attributable, wholly or mainly, to their respective description by age, race, colour, caste, creed, sex, sexual orientation, HIV status, impairment, marital or family status, pregnancy, religion, political opinion, place of origin, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation”

1. Criminal Code

Section 86 of the Criminal Code makes it an offence for a public officer to use any form of violence against any person and shall, according to the nature and extent of the violence used, be liable to double the punishment which would have been incurred by any other person guilty of the like crime or misdemeanor.

**3. Other administrative frameworks**

**A. Housing**

Housing forms part of the basic social conditions that determine the quality of life and welfare of people. Social housing is one area where much is done to eradicate absolute poverty, economically empower vulnerable low-income families, including women headed households, and foster their social inclusion to encourage their participation in the structural, economic, social and spatial development of the country.

To that respect, eligible households on the Social Register of Mauritius, who have signed a Marshall Plan Social Contract, are eligible to have access to affordable social housing units in a sustainable living environment provided through the following schemes:

1. The construction of fully Concrete Housing units of at least 50 m2 to families, who have been found to be living in absolute poverty and are owners of a plot of land but do not have the means to build a housing unit.
2. The provision of 10% of all new housing units constructed by the National Housing Development Corporation earmarked for landless beneficiaries of the SRM to facilitate their integration in the mainstream society.
3. An Upgrading Housing Scheme to cater for minor renovation works, provision of toilet and bathroom amenities, and replacement of roof, partitioning, extension and repairs to Corrugated Iron Sheet housing units, and plastering and flooring.

These schemes allow beneficiaries to benefit from a subsidized cost of 80% from Government and to repay only 20% of the total cost of a housing unit over a repayment period of 15 to 35 years.

**B. Health**

The State acknowledges the Right to Health as a basic human right. The overall policy objective of Government is to achieve the highest attainable level of health regardless of gender, age, disability, geographical location, social status and ability to pay.

The national healthcare system in Mauritius is supported by the public and private sectors. Around 73% of the healthcare needs of the population are managed, free of any user cost, at the point of use, in the public sector. The remaining 27% of healthcare needs are dealt with in the private sector, on a fee basis, either through out-of-pocket payments, including deductibles or payments made by private health insurers. The free of charge health services in public health institutions are provided to all citizens.

**C. Education**

All citizens of Mauritius are considered on an equal footing. Education is a driver of our development process. Mauritius is committed to instil a quality education that would maximise the talents and potential of its citizens. Education is compulsory till the age of 16 years and no child is left out of the education system. Moreover, education is free up to tertiary level in all public higher education institutions.

According to Section 35 of the Education Act, all Government schools and all schools in receipt of a regular grant-in-aid from public funds shall be open to pupils of any race or religion. It also provides also for the setting up of a National Curriculum Advisory Board, whose function is *inter alia* to advise on a national policy for the development of the school curriculum with regard to the overall economic, social and cultural context of the country and the personal development of the student.

The State of Mauritius is one amongst the rare countries where a common curriculum is taught to all, irrespective of gender, religion or belief in all educational institutions at pre-primary, primary, secondary and tertiary levels. A conducive environment is provided to all learners, which ensures equal access to relevant and quality education and training.

The Kreol Morisien which is the most widely used language in Mauritius is now a subject in itself in both primary and secondary cycle and necessary arrangements are being made to explore the possibility of extending it to upper secondary level.

The school curricula at the primary and secondary levels have been elaborated so as to encourage not only the cognitive but also the holistic development of all learners. Aspects of Human Rights are included in the primary and secondary curriculum.

Furthermore, textbooks are reviewed regularly and efforts are made to eliminate all stereotypes in terms of ethnicity as well as gender. Instead, images, references, names and opinions which convey the message of the inherent dignity of all human beings and their equality in the enjoyment of human rights are incorporated

**4. Measures to promote and protect women’s freedom of opinion and expression**

The State of Mauritius is committed to empower women who constitute around 55.6% of its population and remove barriers to the enjoyment of their rights. It is, in fact, entrenched in the vision of the Government to make Mauritius a society where gender equality is promoted to ensure a fair and adequate representation of all genders as well as the human and social development of women. Women participation in the labour force has increased over the last decades to around 37.1% in the first quarter of 2020. Moreover, the State of Mauritius believes in women holding key leadership roles both in the public and private sectors and measures are further taken to encourage gender representation in managerial positions as well as their economic empowerment.

The National Women Council Bill was passed by the National Assembly in May 2016, repealing the National Women’s Council Act 1985. It came into operation on 08 March 2018. The objects of the Council according to the new Act are to –

1. promote women’s empowerment and gender equality;

(b) ensure and promote the active participation of women in the social, economic and political fields in order to further their overall empowerment; and

(c) provide a platform for women to voice their needs, concerns and aspirations.

**5. Women’s Participation**

With the introduction of free education in 1976 and equal opportunities for girls to pursue further studies, an increase in women enrolling for tertiary education including legal studies was noted, consequently resulting in a rise in the number of women in the legal profession.

With regard to women’s participation in decision-making, a feminization of the civil service can be observed, with an increased number of women in top decision-making positions. There are many women holding senior positions in the public service in Mauritius.

The National Assembly consists of 14 women who are Members of the Parliament, out of whom, 3 are Ministers. It is to be noted that the position of the Government Chief Whip is held by a woman since 2019.

Moreover, the State of Mauritius is currently drafting its Gender Equality Bill. The proposed Gender Equality Bill will include temporary special measures and other measures aimed at accelerating the achievement of de facto equality of men and women to enable women to participate meaningfully in decision making, education and employment amongst others and would apply to:

1. individuals as well as public and private entities in the Republic of Mauritius in all spheres and binds operation in all arms of government-judiciary, executive and legislature and in appointive and elective positions;
2. professional and labour organizations; and
3. political parties.

**6. Fair Gender Representation in Boards and Committees**

With regard to gender diversity on the right to participate in public affairs, the State of Mauritius implemented the National Code of Corporate Governance (2016) which lays down the main principles of governance and encompasses the concept of gender balance and equality under Principle 3: ‘Director Appointment Procedures’, Board structure and Board Diversity. The Principle calls for all organisations to ensure appointment of Directors from both genders (at least one female Director) as members of the Board.

Stakeholders are sensitised with a view to increasing the representation of women on Board of Directors. Women should therefore be provided with relevant training, necessary skills and expertise to become representatives on Boards. In this respect, the Ministry of Financial Services and Good Governance, in collaboration with the Financial Services Institute (FSI) has already set up a Training for Board Readiness programme to train current and prepare potential persons for board readiness. The training programme addresses the issue of Gender Diversity on Boards and provide training and upskill women for Board readiness, which is in line with measure 174 of the Government Programme 2020 – 2024 to ‘strengthen governance of parastatal institutions by ensuring, among others, adequate and appropriate gender representation on their Board of Directors’.

**7. Girls and young women’s access to technology and training**

There is no digital divide concerning access to technology and other infrastructure by young girls and young women in Mauritius. This is mainly because students around the island follow compulsory ICT classes as a subject up to grade 9 (13-14 years) in schools. All students, irrespective of gender, are also encouraged to choose Science, Technology, Engineering and Mathematics subjects at higher level.

**8. Empowerment of women and girls to alleviate poverty**

The European Union is supporting the new Action Plan on Gender Equality and Women’s Empowerment in External Action 2021-2025. It aims to accelerate progress on empowering women and girls, and safeguard gains made on gender equality during the 25 years since the adoption of the Beijing Declaration and its Platform for Action. The new Gender Action Plan focuses on key thematic areas of engagement, it includes fighting against gender-based violence and promoting the economic, social and political empowerment of women and girls. But it also puts a renewed emphasis on universal access to healthcare, sexual and reproductive health and rights, and gender equality in education, as well as on promoting equal participation and leadership.

The State of Mauritius has adopted and implemented a Marshall Plan against Poverty which has a dual objective of eliminating absolute poverty and encouraging change among vulnerable populations and service providers that would lead to economic empowerment, social inclusion and overall improved well-being of the disadvantaged groups.

Promoting gender equality and greater opportunities for women, young girls and children of the Marshall Plan Social Contract beneficiaries are, therefore, important themes which are fully integrated throughout the Marshall Plan against Poverty.

In the effort to eradicate poverty in all its forms and dimensions, there is a commitment towards achieving gender equality and empowerment of all women and girls, and protecting the poor and people in vulnerable situations.

**9. Various schemes/measures**

A wide range of training are being provided to unemployed women and young girls as a means of empowering them and enhancing their living conditions. The purpose is to develop the soft skills of women so that they can better respond to the market needs all while promoting their social inclusion and cohesion. For instance:

Training on various fields such as Electrical Installation, Plumbing & Pipe Fitting and Housekeeping mainly dedicated to women are provided to beneficiaries. As an incentive, participants are given a monthly stipend of Rs 5,000 and a travelling allowance of Rs 1,000 to successfully attend the training and provided with placement opportunities in parallel with training. In addition, a toolkit is being provided to the beneficiaries so that they can start their own practice/business.

Training in housekeeping, pastry, shoe making, bee keeping, quail egg production, poultry project, home gardening project, farming, hair dressing, beauty care, and eco-bag making are also dispensed.

Moreover, many women are being encouraged to operate through cooperatives and are being provided with sewing machines and start-up kits.

Job fairs have been organised to regroup potential employers and unemployed beneficiaries for job and training opportunities. The holding of Job Fairs across the island have been an appropriate mechanism to reach out to vulnerable and deprived women and girls to ease their access to job opportunities.

The Crèche Scheme was introduced in February 2017 to empower mothers of children aged between 3 months to 3 years to be placed in registered child day care centres, thereby allowing their mothers to take up employment or follow a training course for the purpose of their empowerment. The scheme is applicable to children aged between 3 months to 3 years, who are attending a registered day-care centres and have achieved at least 75% monthly attendance. This scheme has mostly benefited young mothers of the vulnerable groups.

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