



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third to fifth periodic reports of Mauritius

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please clarify to what extent the “Working together” framework has improved coordination between the various government departments and institutions at all levels, and indicate whether the State party envisages establishing a high-level coordination mechanism with a view to ensuring adequate coordination of the implementation of the Convention. Please also provide an assessment of the impact of the Human Rights Monitoring Committee under the Ministry of Gender Equality, Child Development and Family Welfare on the enjoyment of child rights.
2. Please clarify to what extent the measures taken in the context of the National Human Rights Action Plan 2012–2020 have contributed to the implementation of all provisions of the Convention, and describe the progress achieved so far through the implementation of the Action Plan.
3. Please indicate what measures, if any, have been taken to strengthen the independence of the Office of the Ombudsperson for Children and to provide it with adequate human and financial resources, including qualified and trained staff to allow for its effective operation. Please also clarify the steps taken to enable the Office to enhance its awareness-raising campaigns on children's rights, to monitor the implementation of the Convention, including by investigating children's complaints, and to systematically engage in the review of any laws and policies pertaining to children. Please indicate to what extent

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children are aware of the mandate of the Office of the Ombudsperson for Children and have effective access to the Office.

4. Please provide information on the current status of the draft children's bill, taking into account the Committee's previous recommendation (CRC/C/MUS/CO/2, para. 11), and explain the reasons for the delay in its adoption. Please also indicate whether the draft bill will include all the principles and provisions of the Convention and whether it will cover respect for children's rights by all actors, including the business sector.

5. Please provide updated information on the training programmes organized between 2011 and 2013 for judges, lawyers, law enforcement officials, personnel working in institutions and places of detention, teachers and other professionals working with children in various parts of the country. Please indicate whether the Convention on the Rights of the Child has been integrated in the teacher-training curriculum and in the school programmes for all children.

6. Please indicate whether the Equal Opportunities Act No. 42 of 2008 has been passed into law. Please also indicate what practical measures have been taken to combat the prevailing discrimination against and stigmatization of children in vulnerable situations, including children in street situations, children with disabilities and children in conflict with the law, as regards in particular their access to education and basic social services and facilities, including psychological assistance. Please also describe the measures taken to ensure that the children of incarcerated parents are not discriminated against in any way.

7. In the light of the previous recommendation (CRC/C/MUS/CO/2, para. 32), please indicate what measures have been taken to ensure that the rights of the child to express his or her views fully are guaranteed in all administrative and judicial proceedings, especially as concerns divorce or separation of parents and custody, in schools and in society in general.

8. Please indicate what progress has been made in ensuring the prohibition of all forms of corporal punishment in all settings without exception, including in the home, as urged by the Committee in its previous concluding observations (CRC/C/MUS/CO/2, para. 38), and also indicate whether the draft children's bill contains a clear prohibition of all corporal punishment in all contexts.

9. Please provide detailed information on the effectiveness of measures to facilitate care, recovery and reintegration for child victims of abuse, violence and neglect, and indicate how many children have benefited from such services. In particular, please indicate whether the Child Development Unit has sufficient resources and adequate trained personnel, including psychologists, to facilitate the recovery, rehabilitation and reintegration of child victims of violence, ill-treatment, sexual abuse and exploitation, and to provide protective accommodation for such children.

10. Given the reported increase in the sexual exploitation of children, and in particular child prostitution, in the State party, please indicate the preventive measures adopted and whether the perpetrators of sexual exploitation of children are systematically held to account.

11. Please clarify the measures taken to provide families who have difficulties in the upbringing of children with necessary support, including parental and counselling services. Please describe what steps have been taken, if any, to remove the possibility for parents, under section 18 of the Juvenile Offenders Act, to place a child in a rehabilitation youth centre on the basis of an oath before a juvenile court that a "child is beyond control".

12. In relation to the situation of children separated from their parents, please provide information on the measures taken to enhance alternative care options outside institutionalization, on the alternatives to avoid the placement of children under 3 years of

age in institutional care, and on the mechanisms to monitor the quality of residential care institutions. In addition, please describe how children are assisted in maintaining contact with their incarcerated parent.

13. Please provide information on the status of the draft new adoption bill and on other measures taken to ensure that court decisions on adoption are substantiated by relevant information regarding the actual status of the child and of the adopting parents in order to ensure that adoption is in the best interests of the child. Please also clarify how the prospective adoptive or foster parents are screened, how the adoptability of the child is established and whether any public authorized body oversees the whole process.

14. Please provide updated information on measures taken to develop inclusive education, including professional and vocational training, for children with disabilities in all parts of the country and to ensure their fullest possible social integration without exclusion from other children. Please also provide information on measures taken to establish a national system of early detection, referral and intervention to assist children with disabilities and their families, and indicate whether children with disabilities placed in shelters receive social care or psychological support from sufficiently trained personnel.

15. Please describe the strategies to address low birth weight and indicate the measures taken to improve the health of mothers. Please also provide information on the ongoing programmes on adolescent health, including on access to confidential reproductive health information and services, and clarify whether comprehensive sexual and reproductive health education is part of the mandatory school curricula and targeted at adolescent girls and boys, with emphasis on preventing early pregnancy and sexually transmitted infections. Please also clarify whether drug awareness-raising has been integrated into the mandatory school curricula.

16. With regard to the Committee's previous recommendation (CRC/C/MUS/CO/2, para. 19) and the information provided by the State party (CRC/C/MUS/3-5, paras. 14-17), please provide information on the measures taken to address the disparities between urban and rural areas in, among other fields, education, health care and support for families and children living below the relative poverty line. Please also provide detailed information on the measures taken to ensure an adequate standard of living for children and to combat social exclusion, especially for those children in single parent families, in families with three children or more and in families from ethnic-minority backgrounds. Please provide information on the measures taken to ensure access to safe drinking water and sanitation in all parts of the country, and particularly in Rodrigues.

17. Please clarify whether the education system has incorporated modern teaching methods that build on the freedom of expression of children. Please indicate to what extent the language of instruction influences access to education, as well as school completion and drop-out rates. Please describe the forms of assistance, if any, provided to Creole-speaking children so that they can have access to education, which has been conducted primarily in English or French. Please also provide information on the extent of private schooling in the State party and assess its impact on the accessibility and affordability of education.

18. Please provide information on the patterns of child labour and on the measures taken to prevent and eliminate the worst forms of child labour, such as child prostitution.

19. Please also provide information on the measures taken to address the situation of children in street situations.

20. Please indicate the currently applicable minimum age of criminal responsibility, and describe the progress achieved in developing a specialized juvenile justice system, in particular whether the special courts with judges for children have been established, with special investigators trained in juvenile justice. Please also provide information on the

treatment of children when arrested or detained, and clarify the reports of the lack of information provided to children on their rights when they are deprived of liberty, and of their automatic handcuffing. Furthermore, please indicate whether children who are arrested or detained are held separate from adults, as required under section 8 of the Juvenile Offenders Act.

## **Part II**

**In this section the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## **Part III**

### **Data, statistics and other information, if available**

1. Please provide statistical data, disaggregated by gender, age, geographic location and socioeconomic background, on the number of children under the age of 18 living in Mauritius, and the percentage of the overall population that they represent, including the number of children living in foster care. Please indicate whether the statistical data have been collected in a coordinated manner, and clarify whether updated statistics have been made public through the relevant government websites.
2. Please provide statistical data on the extent of non-payment of child maintenance and on the related sanctions for the years 2011 to 2013.
3. Please provide information, disaggregated by gender, age, geographic location and socioeconomic background, on the number of children:
  - (a) Separated from their parents;
  - (b) Placed with foster families;
  - (c) Placed in institutions, including the rehabilitation youth centres;
  - (d) Adopted through national and intercountry adoptions;
  - (e) Whose parents are incarcerated;
  - (f) In street situations.
4. Please specify the number of children with disabilities, up to the age of 18, disaggregated by gender, age, geographic location, socioeconomic background and type of disability, for the years 2011 to 2013:
  - (a) Living with their families;
  - (b) Living in institutions;
  - (c) Placed in foster care;
  - (d) Attending regular schools;

- (e) Attending special schools;
  - (f) Not attending school;
  - (g) Subject to violence in schools, institutions and domestic settings.
5. Please provide statistical data on:
- (a) The number of children who have been victims of ill-treatment and abuse, and on the number of complaints, investigations, prosecutions and convictions in that regard;
  - (b) The number of children who have been victims of sexual abuse and exploitation, including victims of trafficking, and on the number of complaints lodged and investigations and prosecutions carried out in that regard;
  - (c) The number of working children, disaggregated by gender, age, geographic location and socioeconomic background.
6. Please also provide statistical data on the persons investigated, charged, convicted and punished for sexual exploitation of children.
7. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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