

Mauritius

The Government of Mauritius has strengthened its legal framework to combat the worst forms of child labor and has implemented many programs to prevent and assist victims of commercial sexual exploitation and trafficking. The worst forms of child labor continue to exist, however, in the commercial sexual exploitation of children. Gaps remain in the Government's efforts to coordinate policy related to the worst forms of child labor.



Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Distribution of the Worst Forms of Child Labor

Children in Mauritius are involved in some of the worst forms of child labor³²⁹¹, including commercial sexual exploitation.³²⁹² Girls as young as 10 have been found in prostitution in Mauritius.³²⁹³ Girls are exploited in both local and tourism-linked prostitution, including by prostitution rings and business persons offering other forms of employment and then exploiting them as prostitutes instead.³²⁹⁴ Some sex workers have also been reported to sell their sons into prostitution.³²⁹⁵

There have been limited reports of child trafficking in Mauritius.³²⁹⁶

Although anecdotal evidence suggests that the incidence of child labor in Mauritius is low, children are involved in agriculture, domestic service, and street hawking.³²⁹⁷ Agricultural work may involve using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides. Child street hawkers may be exposed to a variety of hazards, which could include severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements. Child domestic work commonly involves long hours of work and can expose children to physical and sexual exploitation by their employers.


Laws and Regulations on the Worst Forms of Child Labor

The Government of Mauritius has laws to protect children against the worst forms of child labor in both the formal and informal sectors. According to the Employment Rights Act, a child by definition is under the age of 16, while the term “young person” refers to those age 16 to 18.³²⁹⁸ The Employment Rights Act sets the minimum age for work at 16.³²⁹⁹

Any work which is harmful to the health and safety of the person is prohibited for persons less than age 18, with the exception of those age 16 to 17 who have been trained and are under adequate supervision. The Occupational Safety and Health Code provides a specific list of prohibited hazardous work conditions.³³⁰⁰

The Mauritian constitution prohibits forced labor and slavery.³³⁰¹ The Child Protection Act forbids causing, inciting, or allowing any child to engage in prostitution or child pornography and provides punishment for violation of the law.³³⁰² Acting as an accomplice to child prostitution is also illegal and punishable under the law.³³⁰³ Additionally, the Penal Code prohibits sexual intercourse with a female under the age of 16.³³⁰⁴

The Government of Mauritius expanded its legal framework by enacting the Combating Trafficking in Persons Act, Act No. 2 of 2009, which provides a comprehensive framework to combat trafficking in persons.³³⁰⁵ The Trafficking in Persons law provides a maximum of 15 years of imprisonment for offenders of trafficking laws, including those who knowingly aid traffickers.³³⁰⁶ In addition to clearly establishing the trafficking of children as a criminal offense, the Combating Trafficking in Persons Act establishes a requirement for Internet service providers to inform the police of any information, which suggests or alludes to trafficking on its server. Failure to report such matters is a criminal offense.³³⁰⁷

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence of coordinating mechanisms to combat child labor in Mauritius. The Ministry of Gender Equality, Child Development and Family Welfare is the lead agency for implementing anti-trafficking policies.³³⁰⁸

The Ministry of Labor, Industrial Relations, and Employment (MOLIRE) enforces child labor laws. All regular labor inspections include monitoring for child labor.³³⁰⁹ Other agencies have enforcement responsibilities as well including the Office of the

Ombudsperson for Children refers cases, which require investigation to the Child Development Unit (CDU). The CDU and the Minors’ Brigade of the Police Force investigate reported child labor violations.³³¹⁰

In 2009, MOLIRE employed 30 field officers and 9 trainee officers in its Inspection and Enforcement Division. MOLIRE offers ongoing training in all aspects of labor inspections.³³¹¹

Data on the number of inspections conducted in 2009 is unavailable.³³¹² The extent to which inspections were carried out in agriculture is also unavailable.

The Government has indicated that once a child labor violation has been discovered, child employment is stopped, surprise follow-up visits are conducted to the employment site and prosecution is initiated by the Occupational Safety and Health division of MOLIRE.³³¹³ However, no child labor violations were reported as a result of MOLIRE inspections during the reporting period.³³¹⁴

The Mauritian Police Force, and in particular its Minors’ Brigade, is the main agency charged with enforcing laws regarding other worst forms of child labor, including trafficking, pornography, and prostitution. The Police Force maintains a database of trafficking cases and allegations.³³¹⁵ The CDU also refers cases of child prostitution to the Minors’ Brigade for investigation, while the Minors’ Brigade refers children to the CDU for social assistance.³³¹⁶

Several other entities are involved in anti-trafficking efforts, including: the Criminal Investigation Division, the Office of the Ombudsperson for Children, the State Law Office, and the Prime Minister’s Office.³³¹⁷

All new recruits of the Mauritian Police Force undertake training on the commercial sexual exploitation of children.³³¹⁸ The Mauritian Police Force has also conducted a series of trainings for police station officers, as well as specialized units such as the Police Prosecutor’s Unit, the Criminal Investigation Unit, and the Passport and Immigration Office regarding the commercial sexual exploitation of children, child abuse, and trafficking in persons.³³¹⁹ In addition, the Ministry of Gender Equality, Child Development, and Family Welfare assisted in training police officers on the commercial sexual exploitation of children.³³²⁰ During the reporting period, officers

in the Minors' Brigade received five training sessions on the best practices for combating human trafficking. Students at the police training school, 182 senior police officers, and 70 government officials also received anti-trafficking training.³³²¹ Additionally, 70 government officials received training on the commercial sexual exploitation of children.³³²²

The Minors' Brigade, in coordination with the National Children's Council, conducts crackdown operations that target areas such as arcades, bus terminals, water fronts and other areas frequented by truant students.³³²³ Since January 2008, 500 crackdowns have been carried out in areas common to truant students.³³²⁴ The Government uses these crackdowns to track and counsel adults who are using their children for child labor.³³²⁵ Crackdowns by child welfare and law enforcement officials are also conducted in areas frequented by students at high risk for trafficking.³³²⁶

In 2009, three cases of child trafficking were reported to the authorities. The children received government funding and assistance. Further, a woman was sentenced to 10 years in prison for subjecting two under age Mauritian girls to prostitution.³³²⁷ Her two sons were sentenced to 3 years in prison for sexual relations with a child under 16.³³²⁸ During the reporting period, nine cases of child prostitution were reported to the Ministry of Gender Equality, Child Development and Family Welfare.³³²⁹ As of the writing of this report, there was no information on the status of these cases. Also during the reporting period, one investigation of pimping was completed and one adult was prosecuted for the commercial sexual exploitation of three girls.³³³⁰ Cases generally take 18 to 24 months from arrest to sentencing, and sentences reflect standards established by legislation.³³³¹

During the reporting period, there were reports of Mauritian nationals involved in child sex tourism in Madagascar. However, the Mauritian Government did not take action to address this specific problem.³³³²

Government Policies on the Worst Forms of Child Labor

The Government has a policy focused on the commercial sexual exploitation of children. Beginning in 1997, the Government, in conjunction with UNICEF and WHO, commissioned studies which identified the commercial sexual exploitation of children as a

problem. The Government created a National Plan of Action to address this issue in 2003.³³³³ The plan focuses on awareness raising, data collection, the provision of education and psychosocial services for victims, and indicators for monitoring the incidence of the commercial sexual exploitation of children.³³³⁴ The Government of Mauritius has taken action under this plan by conducting awareness-raising and police training.³³³⁵

The Government of Mauritius is working with UNDP to develop a poverty reduction strategy.³³³⁶ The Government has also implemented other policies, including a 2009 12-year strategy plan for education and human resources, as well as the National Policy Paper on the Family. The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.³³³⁷

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

From 2005 to 2009, the Government of Mauritius implemented a public sensitization campaign to make young people aware of the dangers of commercial sexual exploitation.³³³⁸ Over the last two years, the Ministry of Tourism published and distributed 3,000 pamphlets on the commercial sexual exploitation of children to members in the tourism industry, including tour operators and hotels.³³³⁹ The Government also runs a program, started in 2003, that provides education to parents on understanding children's rights. The program is piloted in 16 primary schools and has planned expansions to involve child care centers.³³⁴⁰

Mauritius provides services to victims of commercial and sexual exploitation. Child welfare officers take victims to the hospital and work in conjunction with the police officer to obtain a statement. Medical and psychological services are available in public clinics.³³⁴¹ The CDU works in coordination with the Police Department and other agencies to provide 24-hour legal and psychological support to sexually exploited and vulnerable children.³³⁴² The CDU also maintains two hotlines for reporting child abuse and takes custody of child trafficking victims, ensuring the children receive schooling, health and psychological care while in its custody.³³⁴³ However, school reintegration for child victims has proven difficult.³³⁴⁴ For example, children victims were not reintegrated

into schools due to negative social attitudes, strict regulations, and a lack of guidance and support.³³⁴⁵

The Government of Mauritius funds local NGOs to run a public education campaign on the issue of the commercial sexual exploitation of children and to provide child victims with shelter. It also operates a drop-in center, through which it provides educational and counseling services.³³⁴⁶ During the reporting period, the center counseled six girls who were engaged in prostitution.³³⁴⁷ However, not all identified victims received comprehensive protective services due to overcrowding and a lack of shelter facilities.³³⁴⁸

Additionally, the Child Protection (Amendment) Act of 2008 established a child mentoring scheme to provide distressed children, including those involved in or at risk for engaging in prostitution, with support and rehabilitation. However, during the reporting period the Government did not utilize these services to assist children engaged in or at risk of prostitution.³³⁴⁹

The Government, in coordination with the UNDP, is also conducting a general poverty reduction program which is focusing efforts on increasing attendance at schools.³³⁵⁰ Increasing access to school could reduce the incidence of child labor by providing alternatives to working children. The program, among other things, provides transitional and educational support to vulnerable households, provides capacity building for employability skills, and strengthens the capacity of training institutions.³³⁵¹ The program has contributed to poverty reduction by focusing on 30 schools in deprived regions.³³⁵² As a preventative measure, the Government is also developing a process to direct students who have dropped out of school to vocational training, literacy and numeracy programs, and has increased efforts, such as school feeding programs and free school supplies, to ensure that children are at school as a preventative measure.³³⁵³

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Mauritius:

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a formal coordinating body to facilitate the efforts of the multiple agencies tasked with combating the trafficking of children for labor exploitation.
- Make publicly available data on child labor inspections and the results of those inspections.

IN THE AREA OF GOVERNMENT POLICIES:

- Assess the impact that the National Action Plan on commercial sexual exploitation has on the worst forms of child labor.
- Develop national policy to address all worst forms of child labor
- Consider how child labor concerns can be included in development plans currently being drafted.

IN THE AREA OF SOCIAL PROGRAMS:

- Assess the impact that poverty reduction and education programs may have on addressing the worst forms of child labor.
- Improve existing programs to withdraw and prevent children from involvement in commercial sexual exploitation and provide sufficient services to victims.

³²⁹¹ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

³²⁹² U.S. Embassy- Port Louis, *reporting*, January 29, 2010, para 2.

³²⁹³ U.S. Embassy - Port Louis, *reporting*, January 29, 2010, para 3. See also, ECPAT International, *Report on the Status of Action Against Commercial Sexual Exploitation of Children: Mauritius*, 2007; available from http://www.ecpat.net/A4A_2005/PDF/AF/Global_Monitoring_Report-MAURITIUS.pdf.

³²⁹⁴ U.S. Embassy- Port Louis, *reporting*, January 29, 2010, para 2 and 3. See also, United Nations Economic Commission for Africa: Africa Center for Gender and Social Development, *Gender Based Violence: Situational Analysis*, 2009; available from http://www.ggp.up.ac.za/gender_equality/course_material/2009/bayard%202.doc. See also, ECPAT International, *Report on the Status of Action*. See also, U.S. Embassy - Port Louis, *reporting*, January 29, 2010.

³²⁹⁵ U.S. Embassy - Port Louis, *reporting*, February 18 2010, para 25d.

³²⁹⁶ ECPAT International, *Report on the Status of Action*, 12. See also, U.S. Embassy - Port Louis, *reporting*, January 29, 2010.

³²⁹⁷ U.S. Embassy - Port Louis, *reporting*, January 29, 2010, 14. See also, U.S. Embassy- Port Louis, *reporting*, January 15, 2009.

³²⁹⁸ Government of Mauritius, *Employment Rights Act of 2008*, (February 2, 2009); available from <http://supremecourt.intnet.mu>.

³²⁹⁹ Ibid.

³³⁰⁰ Government of Mauritius, *The Occupational Safety and Health Act 2005*, (October 28, 2005); available from <http://www.gov.mu/portal/sites/legaldb/files/occupational%20safety%20&%20health%20act%202005.doc>.

³³⁰¹ Government of Mauritius, *Constitution of the Republic of Mauritius*, (March 12, 1968), chapter 2, article 6; available from <http://www.gov.mu/portal/site/AssemblySite/menuitem. ee3d58b2c32c60451251701065c521ca/>. See also U.S. Embassy- Port Louis, *reporting*, January 15, 2009, para 6.

³³⁰² See also U.S. Embassy- Port Louis, *reporting*, January 15, 2009, para 6. See also, Government of Mauritius, *Written communication*, Update to the Response submitted in response to U.S. Department of Labor Federal Register Notice (December 19, 2009) “Request for Information on

Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor.” Washington, DC, February 19, 2009, section 15. See also, Interpol, “National Laws: Mauritius,” (2009); available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaMauritius.asp>.

³³⁰³ ECPAT International, *Report on the Status of Action*, 19.

³³⁰⁴ Interpol, *Legislation of Interpol member states on sexual offences against children: Mauritius*, August 3, 2007; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaMauritius.pdf>.

³³⁰⁵ Government of Mauritius, *The Combating Trafficking in Persons Act 2009*, (May 8, 2009); available from <http://www.gov.mu/portal/goc/assemblysite/file/Act209.pdf>.

³³⁰⁶ Ibid.

³³⁰⁷ Government of Mauritius, *The Child Protection (Amendment) Act*, No. 34, (December 6, 2005); available from http://supremecourt.intnet.mu/Entry/dyn/GuestGetDoc.Asp?Doc_Idx=2977961&Mode=Html&Search=No. See also, ECPAT International, *Report on the Status of Action*, 20.

³³⁰⁸ U.S. Embassy - Port Louis, *reporting*, February 18, 2010, para 26B. See also, U.S. Embassy - Port Louis, *reporting*, January 29, 2010.

³³⁰⁹ U.S. Embassy - Port Louis, *reporting*, January 15, 2010, para 5. See also, Ministry of Women’s Rights- Child Development- Family Welfare and Consumer Protection, *Mauritius National Progress Report of the Special Session of the General Assembly on Children: A World Fit for Children*, December 2006, . See also, Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*, para 2b.

³³¹⁰ ILO Committee of Experts, *Observation, Minimum Age Convention, 1973 (No. 138) Mauritius (ratification: 1990)*, online, 2008; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=1393&chapter=3&query=Mauritius%40ref%2BObservation%40ref%2B%23YEAR%3D2008&highlight=&querytype=bool&context=0>. See also ILO Committee of Experts, *Observation, CEACR 2007/78th Session Minimum Age Convention, 1973 (No. 138) Mauritius (ratification: 1990)*.

³³¹¹ Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*.

³³¹² Mauritius Save the Children Fund, *Report of Non Governmental Organisations Mauritius*, June 1, 2005 2005; available from http://www.crin.org/docs/Mauritius_SCM_NGO_Report.doc.

³³¹³ Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*, para 2b.

³³¹⁴ U.S. Embassy - Port Louis, *reporting*, January 29, 2010, para 2.

- ³³¹⁵ Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*, section 2b.
- ³³¹⁶ U.S. Embassy - Port Louis, *reporting, February 18, 2010*, para 26D.
- ³³¹⁷ Ibid.
- ³³¹⁸ ECPAT International, *Report on the Status of Action.*, p. 23.
- ³³¹⁹ Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*, para 2d.
- ³³²⁰ Ibid., para 2d.
- ³³²¹ U.S. Department of State, “Trafficking in Persons Report- 2010.” See also, U.S. Embassy - Port Louis, *reporting, February 18, 2010.*, para 27F and 28K
- ³³²² U.S. Embassy - Port Louis, *reporting, February 18, 2010.*, para 27F.
- ³³²³ Government of Mauritius, *Written Communication April 30, 2010*, Washington, DC, April 30, 2010.
- ³³²⁴ Ibid.
- ³³²⁵ Ibid.
- ³³²⁶ U.S. Department of State, *Angola (Tier 2)*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142981.pdf>.
- ³³²⁷ U.S. Embassy - Port Louis, *reporting, February 18, 2010.*, para 27 E and 28G. See also, U.S. Embassy - Port Louis, “E-mail communication to USDOL official,” (October 22, 2010).
- ³³²⁸ Louis, “E-mail communication to USDOL official.”
- ³³²⁹ U.S. Embassy - Port Louis, *reporting, January 29, 2010.*, para 5.
- ³³³⁰ U.S. Department of State, “Trafficking in Persons Report- 2010.” See also, U.S. Embassy - Port Louis, *reporting, January 29, 2010*. ECPAT International, *Report on the Status of Action.*, p. 19.
- ³³³¹ U.S. Embassy- Port Louis, *reporting, January 29, 2010*.
- ³³³² U.S. Department of State, “Trafficking in Persons Report- 2010.”
- ³³³³ Ministry of Women’s Rights- Child Development- Family Welfare and Consumer Protection, *National Progress Report*.
- ³³³⁴ ECPAT International, *Report on the Status of Action*, 13.
- ³³³⁵ Government of Mauritius, *Written communication Update on the Response to U.S. Department of Labor Federal Register Notice (February 19, 2009)*.
- ³³³⁶ UNDP, *Achieving the MDGs and Reducing Human Poverty*, 2010; available from <http://un.intnet.mu/undp/html/mauritius/povertyred.htm>.
- ³³³⁷ Government of Mauritius Ministry of Women’s Rights Child Development Family Welfare and Consumer Protection, *National Policy Paper on the Family*, 2010. See also, Government of Mauritius, *Education and Human Resources National Strategy Plan 2008-2020*, [online] 2009 [cited June 10 2010]; available from <http://www.gov.mu/portal/goc/educationsite/file/EHRSP%202008-2020.pdf>.
- ³³³⁸ Government of Mauritius, *Written Communication January 19, 2010*, Washington, DC, January 19, 2010. See also, ECPAT International, *Report on the Status of Action*, 16.
- ³³³⁹ U.S. Embassy - Port Louis, *reporting, February 18, 2010*, para 29A.
- ³³⁴⁰ ECPAT International, *Report on the Status of Action*, 16.
- ³³⁴¹ U.S. Department of State, “Trafficking in Persons Report- 2010.”
- ³³⁴² ECPAT International, *Report on the Status of Action*, 15. See also, U.S. Embassy - Port Louis, *reporting, February 18, 2010*, para 26D and 26F. See also, Government of Mauritius, *The Combating Trafficking in Persons Act 2010*, (June 14, 2010); available from <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>.
- ³³⁴³ U.S. Embassy - Port Louis, *reporting, January 29, 2010*, para 4. See also, U.S. Embassy- Port Louis, *reporting*, November 17, 2009, para 4.
- ³³⁴⁴ ECPAT International, *Report on the Status of Action*, 13 and 14.
- ³³⁴⁵ Ibid.
- ³³⁴⁶ U.S. Embassy - Port Louis, *reporting, January 15, 2010*, para 7.
- ³³⁴⁷ U.S. Department of State, “Trafficking in Persons Report- 2010.”
- ³³⁴⁸ Ibid.
- ³³⁴⁹ Ibid. See also, U.S. Embassy - Port Louis, *reporting, January 29, 2010*.
- ³³⁵⁰ U.S. Embassy- Port Louis, *reporting, January 29, 2010*. See also, Government of Mauritius, *Written communication, Update to the Response submitted in response to U.S. Department of Labor Federal Register Notice (December 19, 2008) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor.”* Washington, DC, January 19, 2010. See also, UNDP, *Achieving the MDGs and Reducing Human Poverty*.
- ³³⁵¹ Executive Board of the United Nations Development Programme and of the United Nations Population Fund, *Draft country programme for the Republic of Mauritius (2009-2011)*, 2008, p. 4; available from http://un.intnet.mu/undp/downloads/info/Country%20Programme%20Documents/Mauritius/CPD_2009-2011_Mauritius_Final.pdf.
- ³³⁵² Ibid.
- ³³⁵³ U.S. Embassy- Port Louis, *reporting, January 29, 2010*, para 7, 8 and 10.