

SADC GENDER PROTOCOL BAROMETER BASELINE STUDY

MAURITIUS



Campaign for Women in Politics, Mauritius

Photo: Loga Virahsawmy

By: Gender Links Mauritius

TABLE OF CONTENTS

LIST OF ACRONYMS

AG	Attorney General
AREU	Agricultural Research Extension Unit
DFID	Department for International Development of the UK Government
EP	Empowerment Programme
ERA	Employment Rights Act
FPTP	First Past the Post
GL	Gender Links
HRDC	Human Resource Development Council
PMU	Project Management Unit
PDVA	Protection from Domestic Act
PRB	Pay Research Bureau
PR	Proportional Representation
PBB	Programme Based Budget
MWRCDFW	Ministry of Women's Rights Child Development and Family Welfare
MFPWA	Mauritius Family Planning and Welfare Association
MWO-GEMSA	Media Watch Organisation-Gender and Media Southern Africa
MOFEE	Ministry of Finance and Economic Empowerment
MLP	Mauritius Labour Party
MMM	Mouvement Militant Mauricien
NAP	National Action Plan
NHRC	National Human Rights Commission
NDVC	National Domestic Violence Committee
NWEC	National Women and Entrepreneur Council
NEF	National Empowerment Foundation
NGPF	National Gender Policy Framework
SPUW	Special Project for Unemployed Women
SEHDA	Small Enterprise Handicraft Development Authority
SADC	Southern Africa Development Community
SRH	Specialised Sexual Health
SEHDA	Small Enterprise and Handicraft Development Authority
SRH	Sexual Reproductive Health
UOM	University of Mauritius
WEP	Women Entrepreneur Programme

LIST of TABLES

Table one:	SADC Gender Protocol Score Card for Mauritius
Table two:	Analysis of gender equality clauses in the Constitution
Table three:	Remaining discriminatory legislation
Table four:	Access to justice
Table five:	Marriage and family laws; the boy and girl child
Table six:	Representation of women and men in key party structures
Table seven:	Gender in political party manifestos
Table eight:	Women and men registered to vote
Table nine:	Candidates fielded at national level
Table ten:	Candidates fielded at local level
Table 11:	Election results national
Table 12:	Election results local
Table 13:	Women and men in cabinet
Table 14:	Women and men in the public service
Table 15:	Enhancing participation by women in public life
Table 16:	Access and enrolment in education sector / specify the year
Table 17:	Pass rates
Table 18:	Gender disaggregated data on school administration
Table 19:	Women and men in university faculties
Table 20:	Women and men in economic decision-making
Table 21:	Private sector and parastatal leadership
Table 22:	Women ownership of different land types
Table 23:	Women and men in employment
Table 24:	Employment levels of women and men across key occupations
Table 25:	Conditions of employment
Table 26:	Gender violence statistics
Table 27:	GBV response and support
Table 28:	Key sexual, reproductive and health indicators
Table 29:	Key Gender, HIV and AIDS indicators
Table 30:	National gender machinery and processes

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SADC Summit Alliance Meeting Speaker

Photo: Gender Links

EXECUTIVE SUMMARY

Scope

The purpose of this study is to collect data to be used to develop a SADC Protocol Barometer which will be launched at a parallel event of the 2009 Heads of States Summit.

Background

The SADC Protocol on Gender and Development (the Protocol) was adopted on 17th August 2008. The Protocol elevates the SADC Declaration on Gender and Development to Protocol level, thus making it the most binding of the regional instruments. It is a roadmap based on benchmarks and targets, which if effectively implemented, will ensure that SADC governments deliver in real terms on issues that matter the most to women of the region. It is the only Protocol in the SADC legal system with time bound targets. With its 28 targets to be met by 2015, the Protocol is unique and sets a new precedent in comprehensively addressing new emerging issues in the region, such as trafficking.

The Protocol reinforces the commitment of the SADC Member States to gender equality and acknowledges that "gender equality and equity is a fundamental human right" and recognizing their obligations, SADC Member States pledge to tackle "social, cultural and religious practices, attitudes and mindsets" that are barriers to achieving gender equality.

The Protocol forms the backdrop of the SADC Gender Protocol Barometer which is a monitoring and evaluation tool designed by the Southern African Gender Protocol Alliance, with the intention of holding governments of SADC Member States accountable to meet the time-bound targets set out in the protocol for realization by 2015.

Objectives

The SADC Gender Protocol Barometer analyses a matrix of indicators, and maps out the current state regarding various social, political, education, health and economic indicators. The Barometer will help civil society to track the progress made by SADC Member States towards achieving the set targets in the protocol. It will also be a tool for governments to measure their own delivery on commitments made and to measure progress towards achieving gender equality by 2015. There are also clear and comprehensive institutional mechanisms for monitoring and evaluating progress.

Time period of the research

The research was done during the month of June 2009 by the Satellite Office of Gender Links in Mauritius with the collaboration of different Ministries, the Attorney General's Office, political parties, parastatal organizations, one religious leader and members of the civil society.

Methodology

A wide range of documents were reviewed and interviews conducted (refer to annexes for details). Detailed analysis of inputs received from different Ministries and stakeholders form part of the research.

The research method is both quantitative and qualitative. A collection of statistical data on health, education, politics, economy, gender violence, governance as well as other articles specified in the Protocol was utilized for the quantitative part of the research, while for the qualitative part, a series of interviews were undertaken with a variety of individuals.

Information was obtained from strategic stakeholders of both state and non-state organizations, namely: the Attorney General's Office, Ministry of Women's Rights Family Welfare and Child Protection, Ministry of Finance, Ministry of Education, Ministry of Health, Ministry of Agriculture, National Aids Secretariat, Central Statistics Office, the Police, Industrial and Vocational Training Board, and political parties.

We are grateful to Latasha Bissessur, Barrister-at-Law and Executive Committee member of Media Watch Organisation-GEMSA who compiled all laws that are related to women. The Attorney General's Office helped in filling the score card. Rama Valayden, Attorney General and the Ministry of Civil Service Affairs helped in giving the scores for Mauritius. It would have been difficult to do this research without the help from the Attorney General's Office and we are grateful to the Attorney General for his commitment. The wide range of documents that were reviewed for this research is attached in the bibliography.

Key Findings

The Constitution of Mauritius guarantees the equality of all citizens and the respect of fundamental rights and freedom. In 1995 the Constitution was amended to make sex discrimination illegal.

There are several laws in Mauritius that provide for the elimination of any form of discrimination. The Equal Opportunity Act was passed in 2008 and incorporates all different grounds of discrimination covered in the Constitution as well as age, pregnancy, mental and physical disability 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 members of the public. The Act also provides for the establishment of an Equal Opportunities Commission and an Equal Opportunity Tribunal.

The Sex Discrimination Act provides for gender equality. Women have the rights for acquisition and disposal of property, the right to vote and the right to employment. Article 9 of the Act stipulates 'special measures intended to achieve equality : A person may take special measures for the purpose of achieving substantive equality between (a) men and women (b) people of different marital status; or (c) women who are pregnant.'

Section 14 of the Sex Discrimination Act provides that 'no institution shall discriminate against a person on the ground of sex by refusing or gaining to admit him/her as a student'. A student who is pregnant can continue her studies. Education is free in Mauritius and all students including primary, secondary, tertiary and University have free transport. Education is

compulsory up to the age of 16. All school materials are still being reviewed to eliminate all gender stereotypes.

The right to the same employment opportunities between men and women is ensured by Section 5 of the Sex Discrimination Act. No employer shall, in relation to recruitment, selection or employment, discriminate against that other person on the grounds of sex, marital status, pregnancy or family responsibility. The Equal Opportunities Act also makes provision for the equal participation of women and men in all spheres of life.

The remuneration orders have been reviewed to eliminate any discrimination against women and the "Men as Partners" Programme has been introduced. The New Employment Rights Act 2008 which has replaced the Labour Act does not limit the number of confinements to three for the purpose of maternity leave. Women are encouraged to start small projects and financial schemes are set up to grant them loans.

There is easy access for women entrepreneurs to get information and funding. In light of recommendations of the National Remuneration Board job classification/appellation has been rendered gender neutral. Job appellations in the Civil Service are also gender neutral.

The Protection from Domestic Violence Act of 1997 was amended in 2004 to cover domestic violence under the same roof; to increase the time penalty and the time limit before a notice is served. Further amendments were made in 2007 and passed at the National Assembly on 4 December 2007. Amendments include increase in penalty; counseling instead of being sentenced; aggrieved spouse and any child of the parties to whom a Protection Order has been granted to apply for alimony.

The Combatting of Trafficking in Persons Act was passed in April 2009. The act provides protection and assistance to victims as well as centres to provide accommodation them.

The Child Protection (Amendment) Act was enacted in 2005 to palliate the gaps in laws with regard to trafficking of children including prostitution and other forms of sexual exploitation, forced labour or services, slavery, servitude or the removal of organs.

Mauritius has an effective system of Family Planning and a good health system. The HIV and AIDS Act protect people living with HIV and AIDS. ARV and PEP are free. Children born from HIV positive mothers get milk for free up to the age of two. Health Service is free irrespective of economic situation. In addition, individual political parties are aware of the SADC Commitment.

Main Challenges

The Government of Mauritius has not signed the Protocol yet. In a letter dated 13th May 2009 the Secretary to Foreign Affairs stated 'the Protocol provides for positive discrimination which is not in line with the Constitution. We are examining how to address this legal constraint and how special provisions can be added for Mauritius.' The Equal Opportunity Act condemns all forms of discrimination but has yet to establish the Equal Opportunities Commission and the Equal Opportunity Tribunal.

There has been a leap from 5% to 17.1% of women in Parliament in the 2005 general elections. However, although Mauritius signed the SADC Declaration on Gender and Development, it has not been able to meet the target of 30% women in politics in 2005.

From a total of 70 Members of Parliament there are only 12 women (17.1%). There are only 16 female Urban Councillors from a total of 126 (12.7%) and 86 female Rural Councillors from a total of 1476 (5.8%). Yet research has shown that local government is a sphere that has the potential to forge real change for women, by women.

The Sexual Offences Bill whereby marital rape is criminalized has not been passed. Abortion is illegal.

Although there are a number of women occupying positions of responsibility in the public sector, gender equality is still to be reached. There is no vibrant social women's movement in Mauritius. There is an urgent need for stronger advocacy and lobbying in favour of women's equal rights. In addition, Muslim women's rights and equality before the law may be impinged particularly in cases of divorce. Section S16 (4) (c) of the Constitution contains a provision to the effect that a different treatment may be given to a specific group of persons, inasmuch as persons of that particular description would be subject to a different legal regime as far as matters such as adoption, marriage, divorce, burial, devolution of property on death or other like matters are concerned, that is the personal law applicable to those persons. The regime of the Muslim Personal Law is provided for in the Constitution itself.

Only paid employment and the exchange of commodities for money is registered as part of the GDP in national accounting systems. The contribution of women to the national economy is therefore underestimated. The average woman spends 314 minutes per day on unpaid work, that is, almost 4 times the 80 minutes for the average man.

Recommendation Actions

- Establishment of quota system to access more women as Members of Parliament and Councillors
- Women Parliamentary Caucus to be set up
- Revision of all pictures in school books
- Urgent need for the signature of the Protocol
- Setting up of Equal Opportunities Commission and Equal Opportunity Tribunal
- Unpaid work to be shared by women and men equally
- Payment to care workers
- Engage men as carers
- Provide support for families within the place of work
- Policy discussions on economic growth and development to take into account household production and services
- Another study of the time use survey
- A study on glass ceiling in the private and public sectors
- Passing of the Sexual Offences Bill
- Passing of Abortion Bill
- A need to engage with citizens on all Acts that have been passed
- There is a need for more shelters for survivors of gender violence and their children

Table 1: SADC Gender Protocol Score Card for Mauritius

SPECIFIC TARGETS TO BE ACHIEVED BY 2015	SCORE/10	COMMENTS
ARTICLE 14: EDUCATION AND TRAINING		
<p>✓ Enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education in accordance with the Protocol on Education and Training and the Millennium Development Goals.</p>	8	<p>Section 14 of The Sex Discrimination Act 2002 provides <i>inter alia</i> that no institution shall discriminate against a person on the ground of the person's sex by refusing or failing to admit him/ her as a student or to limit the students' access to any benefit provided by the educational institution. As far as access is concerned there are no gender gaps in enrolment at pre-primary, primary and secondary levels. An Equal number of scholarships are provided to both girls and boys to pursue tertiary education. Education is free at all levels and is compulsory up to the age of 16yrs.</p>
<p>✓ Adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence, amongst others</p>	8	<p>The formulation of a National Gender Policy Framework has been adopted in 2008 and preliminary work has already been started with the core Ministries and Departments. The Lead Ministry has been fully assisting eight (8) Ministries as mentioned above to engender their PBB and three (3) Ministries have devised their sectoral gender policies and same process is being extended to additional four Ministries. Regarding the implementation phase, the Ministry has already initiated action thereof which have been elaborated above whilst for the monitoring phase, the Lead Agency is now envisaging to set up a Steering Committee to monitor outputs of the Pilot Ministries with regard to their gender sensitivity and implementation of their sectoral gender policies. The <u>Steering Committee</u> will comprise sectoral Ministries and stakeholders of the National Gender Machinery, including the Central Statistics Office. The monitoring process will be as follows:</p> <ul style="list-style-type: none"> (i) Gender Focal Points will play an active role in monitoring and evaluation of gender mainstreaming into their policies and programmes and also form a peer review mechanism. Similarly, GFPs will further be trained on gender responsive budgeting so that they act as watchdog to their sectoral Ministries to monitor implementation of gender mainstreaming in their policies and programmes. (ii) Monitoring of gender sensitive allocation of resources and outputs will be

		<p>done through the PBB reform and key performance indicators.</p> <p>(iii) Data obtained from the GIS would also prove useful to monitor the status of gender equality at national level.</p> <p>Similarly, one of the strategic objectives of the National Action Plan to combat Domestic Violence (2007) is to sensitize and change the mindset of the population at large to prevent violence from occurring. In line with the CEDAW Committee's recommendation to strengthen non sexist advertising, the Media Watch Organisation has been acting as a watchdog to prevent and advocate against using women as sex symbols in the written and oral media and billboards for publicity purposes.</p>
ARTICLES 15-19: PRODUCTIVE RESOURCES AND EMPLOYMENT, ECONOMIC EMPOWERMENT		
✓ Ensure equal participation by women and men in policy formulation and implementation of economic policies.	7	The right to the same employment opportunities between men and women is ensured by Section 5 of the Sex Discrimination Act (2002). No employer shall, in relation to recruitment, selection or employment of any other person for purposes of training, apprenticeship or employment, discriminate against that other person on the grounds of sex, marital status, pregnancy or family responsibility and the Equal Opportunities Act (2008). The remuneration orders which are governed by the National Remuneration Board (NRB) have been reviewed to eliminate any discrimination against women.
✓ Conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women.	7	The 'Men as Partners' Programme has been extended to different regions thus broadening outreach programmes. The Family Welfare Unit has spearheaded the formulation of a National Policy Paper on the Family (2006), having as goal the formation of formal family structures where both husband and wife share their responsibilities in caring for the children and maintenance of family resources. Female workers whose terms and conditions or work are governed by Remuneration Orders are presently entitled to maternity leave for all confinements. However, only in respect of the first three confinements (after 12 months' continuous employment) the leave is with pay. The new Employment Rights Act 2008, which will replace the Labour Act which does not limit the number of confinements to three for the purpose of paid maternity leave subject to the worker reckoning at least 12 months' continuous service with the employer. Additionally the Employment Rights Act has introduced the payment of a maternity allowance which applies to all confinements. It is to be noted that the Employment Rights Act 2008 will not apply to workers covered by Remuneration Orders

		in respect of this issue.
✓ Adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors.	9	Women are now encouraged to start small projects. Financing schemes are set up to grant them loans and to help them attain financial autonomy while the necessary knowhow is imparted to them through training. Investing in women and girls has a multiplier effect on productivity as proclaimed by the United Nations.
✓ Review national trade and entrepreneurship policies, to make them gender responsive.	8	A National Women Development Council (NWECC) was set up in 2007 by the National Women Entrepreneurship Act of 1999 to promote the development of Women Entrepreneurs. The Council offers various facilities to women, a market centre for women entrepreneurs to sell their products; ten business incubators providing space, technical support and marketing facilities. A Women Empowerment Centre housing a Women Centre and a Centre Women Entrepreneur is operational since March 2009 where twelve incubators have been offered business facilities.
✓ With regard to the affirmative action provisions of Article 5, introduce measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.	6	The Public Procurement Act was passed in 2006 and Article 22 of the Act highlights "Community and end-user participation – Where the participation of the procurement end-user or beneficiary community may result in enhancing the economy, quality or sustainability of the service to be procured, or the very objective of the project is to create employment and involvement of the beneficiary community, such end-user or community may participate in the delivery of services in accordance with such procurement as may be prescribed." This clause of the Procurement Act makes it easy for women to bid.
✓ Review all policies and laws that determine access to, control of, and benefit from, productive resources by women.	7	The National Women Entrepreneurship Act was passed in 1999 and a NWECC Council has been set up with the following objectives: <ul style="list-style-type: none"> a. Establish and maintain effective communication between the Council and co-ordination of activities of Women Entrepreneurs' Associations b. Identify actions and projects c. Evaluate and assess the needs of women entrepreneurs d. Establish training programs to improve skills and management aptitudes of women entrepreneurs.

		<ul style="list-style-type: none"> e. Promote co-operation and research with respect to women entrepreneurship development. f. Develop working links and affiliation with other bodies g. Study specific areas where development of women entrepreneurship needs to be strengthened.
✓ Review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy.	7	<p>There were only a few sectors of employment, namely the sugar industry, field crop and orchard sector, tea industry, livestock sector and salt-manufacturing industry, where basic wages were prescribed on a gender basis owing to the strenuous nature of some operations which female employees are not compelled to perform. However, the National Remuneration Board (NRB) has been requested to examine these gender-based job classifications and to make recommendations with a view to eliminating them. In light of recommendations of the National Remuneration Board (NRB), job classification / appellation has been rendered gender neutral. Similarly, job appellations in the Civil Service are also gender neutral. There is now no wage gap between the salary of male and female workers whose working conditions are governed by the Field Crop and Orchard Workers and the Livestock Workers Remuneration Orders. The UN Global Compact to promote corporate social responsibility was launched in July 2000 requiring the voluntary adherence and participation of companies. Some firms in Mauritius (namely Change Express, Deep River <i>Beau Champ</i>, <i>Editions de l'Ocean Indien</i>, Mauritius Commercial Bank, <i>Medine</i> Sugar Estates and Rogers) have signed the UN Global Compact in 2007, committing themselves to ten broad principles one of which is the Elimination of any form of discrimination in employment.</p>
ARTICLES 20-25: GENDER BASED VIOLENCE		
✓ Enact and enforce legislation prohibiting all forms of gender-based violence.	9	<p>The Protection from Domestic Violence Act.</p> <p>In May 1997, the Protection from Domestic Violence Act was enacted and in August it was proclaimed partly. In March 1998, it was proclaimed fully. This Act has been a major step in reaffirming the rights of women. The Act provides for the issue of protection orders, occupancy orders and tenancy orders and offers a wide definition of domestic violence to include physical, emotional, sexual violence and even threatened</p>

		<p>violence. The objective is to protect spouses and children from violence at home. Mauritius is one of the few countries in the region to have introduced a comprehensive law to combat domestic violence.</p> <p>Amendment to Protection from Domestic Violence Act (2004) In 2004, certain amendments were brought to the Protection from Domestic Violence Act (PDVA), 1997. These amendments aim at: covering cases of domestic violence committed by any person living under the same roof; increasing the time limit before a notice is served from 7 days to 14 days; increasing the penalty applicable in case of offences; and providing for counseling.</p> <p>Sex Discrimination Act Sexual Offences Bill (infra)</p>
✓ Ensure that laws on gender based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault.	10	<p>The Ministry of Women's Rights, Child Development and Family Welfare and the Police have signed the Protocol of Assistance to victims of sexual assault. Priority will now be given to taking the victim to hospital instead of recording a full statement from her. The victim will give a regular declaration regarding only the gist of the offence. Statements from female victims are to be taken by women police officers. Victims will be provided with psychological assistance and will receive appropriate treatment for HIV/AIDS.</p>
✓ Review and reform their criminal laws and procedures applicable to cases of sexual offences and gender based violence.	7	<p>In line with Government Programme 2005-2010 which highlights the need to strengthen the enforcement mechanism of the Protection from Domestic Violence Act, further amendments have been brought to the Act. The Protection from Domestic Violence (Amendment) Bill 2007 which was passed in the National Assembly on 04 December 2007 aims at bringing the following amendments inter alia:-</p> <p>(i) an increase in the penalty for the offence of willfully failing to comply with any order made under the Act; 36</p> <p>(ii) in exceptional cases to order a person who has willfully failed to comply with an order made under the Act, to attend counseling sessions instead of being sentenced; and</p> <p>(iii) an ancillary order is introduced under clause 5 to enable an aggrieved spouse and any child of the parties to whom a Protection Order has been granted to apply for</p>

		<p>alimony.</p> <p>There is no specific offence of marital rape but section 249 of the Criminal Code criminalises the offence of rape. It is arguable that it is possible to prosecute for the offence of marital rape under the Criminal Code as it stands. However, Government has presented the Sexual Offences Bill (2007) whereby marital rape is criminalised. Part II of this Bill deals with Rape and Sexual Assault. Section 7 (1) stipulates "Any person, who, without the consent of another person, intentionally penetrates the vagina or anus of that other person with any part of his body or with any object, shall commit an offence and shall on conviction, be liable to a term of penal servitude not exceeding 45 years. However, the Bill met public outcry and a Select Committee has been set up to address concerns raised with this Bill.</p>
✓ Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society.	9	<p>Combating of Trafficking in Persons Act</p> <p>The Combating of Trafficking in Persons Act was passed on 21 April 2009 and is aimed at providing protection and assistance to victims of trafficking. The Act provides that centres will be set up to provide accommodation for such period as may be needed suited to the needs of victims of trafficking</p> <p>The Child Protection (Amendment) Act was enacted in 2005 to palliate the lacunae in our laws with regard to trafficking in children in compliance with the Optional Protocol to the UN Convention against Transnational Organized Crime (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime). 'Exploitation' was defined in the Act as including the exploitation of the prostitution of children or other forms of sexual exploitation, forced labour or services, slavery or, practices similar to slavery, servitude or the removal of organs. The 2005 Act also provides for the offence of child trafficking, abduction and abandonment. The Act provides for the following penalties: where the victim is mentally handicapped, to penal servitude for a term not exceeding 15 years; in any other case, to penal servitude for a term not exceeding 10 years.</p>
✓ Enact legislative provisions, and adopt and implement policies,	9	Legislation already caters for same. Sex Discrimination Act 2002 (Part IV, sections 20 and 21) contains provisions which define and prohibit any form of sexual harassment.

strategies and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment.		An Anti-harassment policy has been devised by Government/ The Sex Discrimination Unit of the NHRC – Guidelines to ensure the prevention of Sexual Harassment of men/women in the workplace/institution.
✓ Adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender based violence by half by 2015.	8	A National Plan of Action to Combat Domestic Violence was launched in 2007 with 18 strategic objectives. Gender Links and Media Watch Organization - GEMSA helped all localities of Mauritius to develop a Gender Action Plan which includes prevention of gender based violence. The Ministry of Women's Rights is working with stakeholders and localities for awareness campaigns on gender based violence.
ARTICLE 26: HEALTH		
✓ Adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care.	9	Health Services in Mauritius has always been free. Government has always pursued a policy of strengthening and sustaining reproductive health services. Sexual and reproductive health service delivery is a core function of the Ministry of Health and Quality of Life (MOH & QL) of Mauritius. Reproductive Health Services are provided through a network of health services throughout the five health regions which covers the whole country.
✓ Reduce the maternal mortality ratio by 75%	9	The trend of the mortality rate for the last two year per thousand live births: 2007 – 0.36% 2008 – 0.37%
✓ Develop and implement policies and programmes to address the mental, sexual and refractive health needs of women and men;	8	Among the policies, programmes and services of the health sector responsive to women's needs are: Ante-Natal Care; Post-Natal Care; Immunization against neo-natal tetanus for pregnant women; Gynaecology Services; Family Planning and Reproductive Health Services; Screening for breast and cervical cancer; Wide array of clinical interventions in regard to the management of chronic diseases; ARV to women and pregnant women who are HIV positive.
✓ Ensure the provision of hygiene and sanitary facilities and nutritional needs of women, including women in prison.	8	Article 6 of the Reform Institutional Act 1988 reads as follows: " The medical officer shall regularly advise the officer-in-charge upon— (a) the quantity, quality, preparation and service of food; (b) the hygiene and cleanliness of the prison and of the detainees; (c) the sanitation, lighting and ventilation of the prison; (d) the suitability and cleanliness of the detainees' clothing and bedding;

		(e) the observance of any order concerning physical education and sports."
ARTICLE 27: HIV AND AIDS		
✓ Develop gender sensitive strategies to prevent new infections.	9	The country has an HIV and AIDS Act. The HIV and AIDS response is guided by the National Multi sectoral HIV and AIDS Strategic Framework 2007-2011 where strategic objectives have been worked out to address the issue of women in general and the prevention of new infections.
✓ Ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.	10	Access and treatment for infected women, men, boys and girls are free in Mauritius.
✓ Develop and implement policies and programmes to ensure the appropriate recognition, of the work carried out by care givers, the majority of whom are women; the allocation of resources and psychological support for care-givers as well as promote the involvement of men in the care and support of People Living with Aids.	7	There are no policies and programmes to ensure the recognition of care givers but social workers who work with women drug users (the main mode of transmission in Mauritius being intravenous drug users) are paid by the Ministry of Health.
ARTICLE 28: PEACE BUILDING AND CONFLICT RESOLUTION		
✓ Put in place measures to ensure that women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes, in accordance with UN Council Resolution 1325 on Women, Peace and Security.	4	
ARTICLES 29 - 31: MEDIA, INFORMATION AND COMMUNICATION		
✓ Take measures to promote the equal representation of women in ownership	3	According to Henri Marimootoo, former President of the Media Trust "Mauritius will never be able to comply with article 12.1 even if the country adheres to any convention

of, and decision-making structures of the media, in accordance with Article 12.1 that provides for equal representation of women in decision-making positions by 2015.		because interfering with ownership is unconstitutional in as much as the media industry or newspaper business in Mauritius are privately owned. Government cannot and should not be allowed to intervene in any form in ownership of newspapers or radio."
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TOTAL = $186 / 280 \times 100 = 66 \%$

COUNTRY CONTEXT

Geographical location

The Republic of Mauritius is made up of a group of islands in the South West of the Indian Ocean, consisting of the main island of Mauritius, Rodrigues and St Brandon and several outer islands located at distances greater than 350m from the main island. The island is 720 square miles and runs 39 miles from north to south and 28 miles from east to west at its longest and widest points respectively.

During the past thirty years, the Mauritian economy has diversified from one based mainly on sugar to manufacturing (mainly textiles and garments) and tourism. The information, communication and technology sector is growing rapidly.

The climate is sub-tropical. The average mid-day temperature on the central plateau varies from 22°C in August to 28°C in January. Near the coastal regions, temperatures are 4-5°C higher.

Demographic data of Mauritius

The population as at 1 July 2008 was estimated at 1,268,565 and comprises of Indo-Mauritians 48%; Roman Catholic 24%; Chinese 8%; Islam 17% and Christian 8%.

Age structure

According to the Family Planning and Demographic Yearbook 2007 of the Ministry of Health and Quality of Life, the median age of the population is 31.5 years. The total number of men at 1st July 2008 was 626,556 compared to 642,009 female. Between 2006 and 2007 the proportion of the population aged under 15yrs decreased slightly from 23.7% to 23.1% and the proportion of the elderly population (aged 60 and above) has increased from 9.7% to 10.0%.

The total size of the population is projected to grow by 13.6% in 2007 to 17.2% in 2047, and the proportion of people aged 60yrs and above will increase from 10% in 2007 to 25.5% in 2047. In absolute numbers the elderly population will increase from 122,455 to 353,804 in 2047, thus exhibiting an increase of about threefold.

Birth and death rate

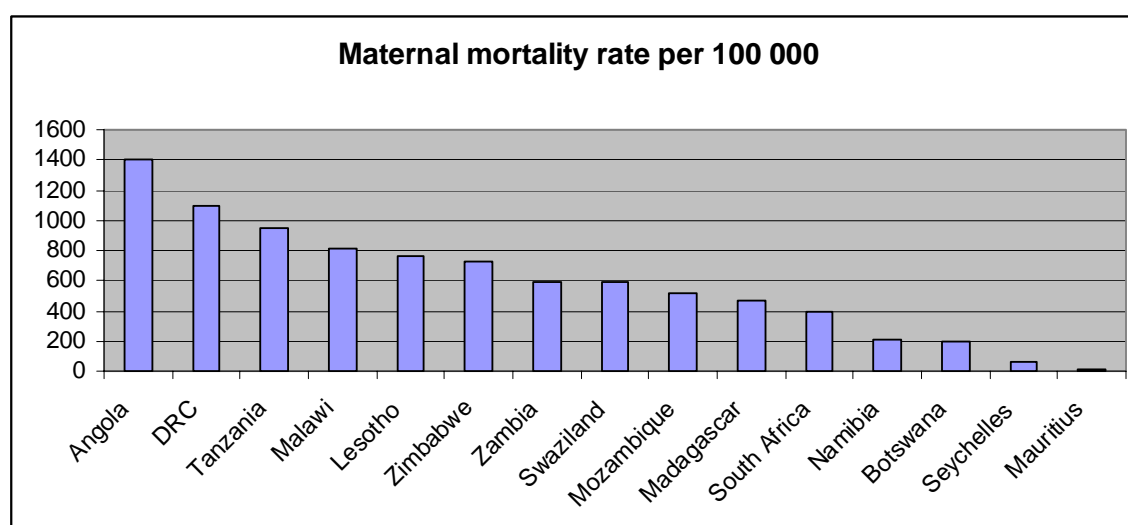
Life expectancy at birth was 75.89 for females and 69.10 for males in 2006. By 2047 life expectancy at birth is projected to be 79.91 years for females and 76.02 years for males. If the population growth rate of 2007 at 0.65% is maintained, the population will take 108 years to double.

The average crude birth rate in the last 5-year period has declined as apposed to the preceding 5-year period, from 16.6 for the period of 1998-2002 to 14.6 for the period of 2003-2007.

There have been significant improvements in the survival of infants over the past four decades. The infant mortality rate has decreased from 60.1 in 1962 to 13.5 in 2006. In 2007, the infant mortality rate was 15.3. Infant mortality rate in the last 5-year period shows a decline as compared to the preceding 5-year period from 16.6 for the period 1998-2002 to 13.7 for the period 2003-2007.

From 1983 to 2007, the maternal mortality rate dropped from 0.60 to 0.37 (37 maternal deaths per 100,000 live births showing a decrease of 38.3%). The perinatal mortality rate has declined from 32.7 in 1983 to 17.7 in 2007, thus representing a decrease of 45.9%. The early neonatal mortality rate from 14.3 in 1983 to 8.2 in 2007 indicates a decrease of 42.7%. It should be noted that early neonatal deaths contributed to about 53.2% of all infant deaths in 2007. As indicated in the graph below, Mauritius compares most favourably within the SADC region in terms of its maternal mortality rate.

Graph 1: Maternal mortality rate per 100 000



Source: Gender Links Regional Barometer Report, 2009

Fertility rate

The total fertility rate decreased from 5.86 in 1962 to 1.94 in 1986 but increased to 2.04 in 1999. Thereafter, fertility rate showed a significant decrease, reaching 1.63 in 2007 which was the lowest ever recorded. Mauritius continued to experience below replacement fertility level of 2.1 children per woman. In 2007 the age-specific fertility rates showed that women aged 25-29 had the highest fertility which was 100.4 followed by women aged 20-24 which was 94.2.

Between 2006 and 2007 a slight increase in adolescent fertility was observed from 32.4 to 34.2 representing an increase of 5.5%. It is also noted that the number of livebirths pertaining to mothers aged below 15yrs has increased from 24 livebirths in 2006 to 34 livebirths in 2007. Census results reveal that the mean age of childbearing has increased from 26.3 in 1983 to 26.7 years in 1990 and to 26.9 years in 2000.

Nuptiality and divorce

Figures reveal that women get married at a later age and this has played a crucial role in fertility reduction. There was a downward trend in marriage from 21.4 in 1993 to 18.5 in 2006; 11,361 marriages were registered in 2007 and the marriage rate was 18.6. The 2000 census reveals that the singulate mean age of marriage was 28.6 years among men and 22.5 years among women.

There were 1,302 divorces granted in 2007 compared to 1,379 in 2006 indicating a decrease of 5.6% over a one year period. There were 1,512 dependent children whose parents were granted divorce in 2007.

Family planning

In 2007, there were a total of 7,153 new participants at Government Family Planning Clinics, Mauritius Family Planning and Welfare Association (MFPA) and Action Familiale (AF). This total also includes 527 new participants of tubal ligation. The Pill was the most preferred method among the new clients accounting for 32.1%, followed by barrier method (25.2%), sympto-thermal (23.2%), injectable (8.9%), tubal ligation (7.4%), intra-uterine device (1.7%) and implant (1.4%)

The Ministry of Health and Quality of Life has established five operational health regions covering the whole island and within each health region there are service points that provide family planning services and information. In 2007 there was a total of 163 service points: 1 Community Hospital, 2 Medi-Clinics, 23 Area Health Centres, 113 Community Health Centres, 4 Family Health Clinics, 2 Family Planning Clinics, 1 Family Planning Supply Centre and 17 Industrial Family Planning Supply Centres. About 2,079 women in the reproductive age group were served per point in 2007.

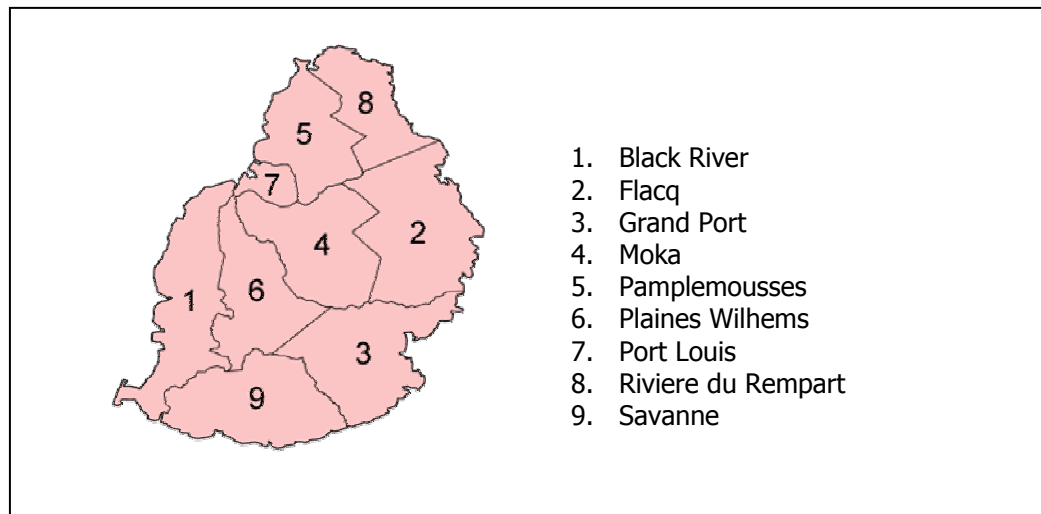
Age distribution of the population of Mauritius

Age group (Years)	1 st July 2008		
	Male	Female	B. Sexes
0	8,303	8,194	16,497
1-4	37,040	35,426	72,466
5-9	49,806	48,033	97,839
10-14	51,210	50,411	101,621
15-19	54,815	53,150	107,965
20-29	102,495	101,329	203,824
30-39	95,783	97,371	193,154
40-49	97,694	97,916	195,610
50-59	73,106	75,340	148,446
60-64	20,743	24,018	44,761
65+	35,561	50,821	86,382
All ages	626,556	642,009	1,268,565

Administrative Divisions of Local Government

The Ministry of Local Government is responsible for Local Government Administration, coordination with five Municipalities, four District Councils and 124 Village Councils. Duties of Local Authorities under Section 51 of the Local Government Act are wide-ranging and include, *inter alia*, construction, care maintenance, improvement, cleaning, lighting, collection and removal of wastes, provision and regulation of public markets, fairs, construction, care, management, maintenance, improvement of public libraries, exhibition halls, art galleries, theatres, playing fields, nurseries for infants, pore-primary schools, cemeteries and cremation grounds as well as organization of welfare, sports and cultural activities.

The various Municipalities and District Councils include:



Politics and Economy

The 1967 election gave a majority in the assembly to Sir Seewoosagur Ramgoolam's pro independence Labour party. Mauritius became independent of Britain on 12th March 1968 and acceded to the status of Republic within the Commonwealth on 12th March 1992. The country has a Westminster type of Parliamentary government. The official language is English, but the National Language is Creole and French is widely spoken. French is also the language of the majority of the Mauritian media.

The 1960s saw the rise of left-wing militancy, while in the 1970s and 80s political coalitions formed along ethnic and class lines. In 1982 the left-wing Mauritius Militant Movement (MMM) came to power, and Anerood Jugnauth became Prime Minister. The following year, a split in the MMM, led Jugnauth to form the Mauritius Socialist Movement (MSM). Jugnauth headed a series of coalition governments. In 1992, Mauritius became a republic, with Cassam Uteem as its first president. In 1995, Navinchandra Ramgoolam, son of the former prime minister, and a coalition headed by the Labour Party, came to power after defeating Jugnauth in a landslide victory. In September 2000, Jugnauth and an MSM-MMM coalition returned to power in a similar

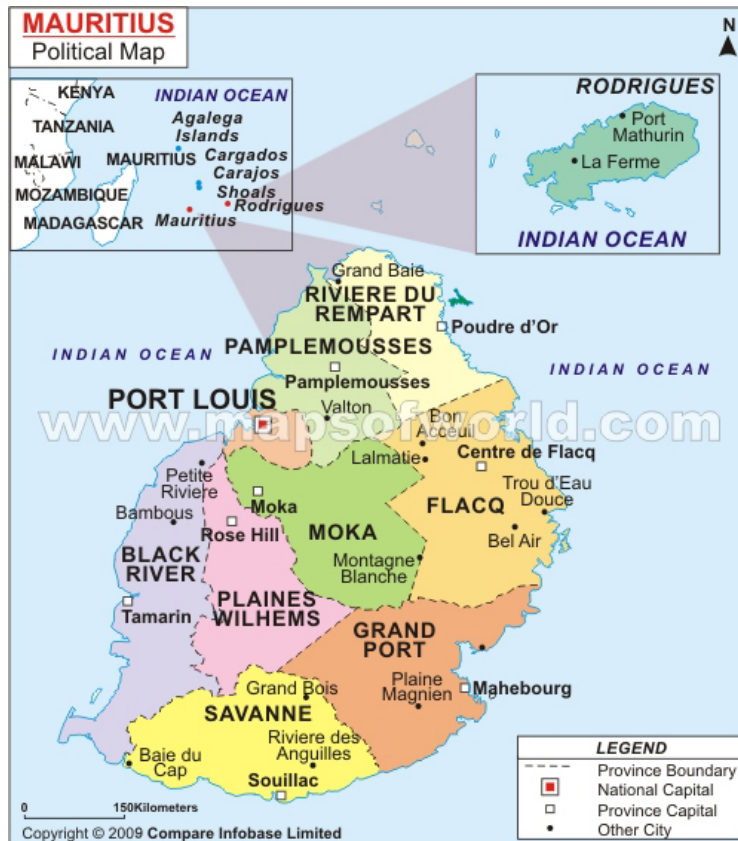
landslide victory. In September 2003, Jugnauth resigned and his MMM coalition partner, Paul Bérenger, became Prime Minister. Bérenger became the first person not of Indian descent to hold the post of Prime Minister. In the July 2005 general elections, Ramgoolam's Social Alliance led by the Labour Party won a majority of the seats, and he became Prime Minister. Elections are held every five years in Mauritius and the next one is due for 2010.

During the past thirty years, the Mauritian economy has diversified from a sugar-cane monocrop economy in the 1970's to one based on sugar, manufacturing (mainly textiles and garments) and tourism in the 1980's. Global business (offshore) and free port activities have also been increasing continuously since the mid 1990s. The economy in 2008 grew by 5.3% and the Gross National Income per capita at market prices reached 269,752 rupees. The unemployment rate is estimated at 7.2% while inflation stands at 9.7% in 2008.

Mauritius has enjoyed lasting political and social stability since independence. Its population of 1.2 million is unique in its diversity, with ascendants of Indian, Chinese, African and European origin. As an example of democracy in this part of the world, the country enjoys full freedom of the press which is represented by over 25 independent dailies and weeklies; the Mauritius Broadcasting Corporation is the only public media.

While sugar once accounted for 80% of foreign exchange earnings, Mauritius is quoted today as a success story in terms of transition to a sound and balanced economy resting on several pillars. The export-oriented manufacturing sector and tourism have, since the early 1980's, paved the way to a more resilient economy; also contributing to placing Mauritius on the international scene. A further impetus to the country's economic growth was achieved in the mid 1990's with the Government's effort in creating a global financial services sector based on an extensive network of tax treaties and an array of fiscal incentives. Recently, a fifth pillar has emerged, an Information Communication Technology sector boosted by the wave of Business Process outsourcing activities.

Mauritius has a Stock Exchange currently with over 40 onshore listed companies. The Stock Exchange is open to international funds seeking a listing on the Mauritius Stock Exchange. The banking and insurance sectors are buoyant with the presence of several insurance companies, onshore and offshore banks. In addition, Mauritius boasts a modern business infrastructure with an excellent, fast and reliable telecommunications network. The country is connected to the SAFE (South Africa Far East) optical fibre cable linking Europe to the Far East via South Africa which provides broadband connectivity.



Cultural Profile

While English is the official language of the country, French is the language used by the media. Over 75% of the population speaks Creole as a mother tongue and it is also used as a second language by the remaining 25% which makes it the national language. Mauritius boasts an adult literacy rate of 85%, the highest in sub-Saharan Africa. The work force is young and well educated and the country has a well developed pool of professionals, primarily from British universities and professional bodies.

CONSTITUTIONAL AND LEGAL RIGHTS *Article 4-11*

Constitutional and affirmative action provisions

The Protocol provides that by 2015, all countries shall endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices. State parties are to implement legislative and other measures that eliminate all practices which negatively affect the fundamental rights of women and men. They are also to introduce affirmative action measures

Constitutional Provisions and Review

Section 16 of the Constitution of Mauritius guarantees gender equality for all citizens. It provides that no law shall make provision that is discriminatory either of itself or in its effect and further defines 'discriminatory' 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'.

In 2008 Professor Prakash Torul reviewed all laws and highlighted the provisions that could be deemed to be discriminatory. According to the Attorney General "to date we are not contemplating a Constitutional review except for electoral reform, but in the judiciary, we are asking for a Court of Appeal."

Equality

The Attorney General confirms that "gender forms part of the judiciary system of Mauritius and as such there is no need to include gender provisions."



Hon.Rama Valayden,
Attorney General,
Loga Virahsawmy,
Director Gender Links Mauritius,
Hon. Indira Seebun, Minister of Women Rights
at launch of Baseline Study on Gender and HIV/AIDS

Photo: Danny Philip

DSC07713 (4)

Table 2: Analysis of gender equality clauses in the Constitution

Provides for non discrimination generally	Provides for non discrimination based on sex specifically	Provides for non discrimination on the basis of sex and others e.g. marital status, pregnancy (list these)	Provides for the promotion of gender equality; please give examples	Has other provisions that relate to gender equality, e.g. bodily integrity	Has claw back clauses	Addresses the issue of contradictions between the Constitution, provisions, laws and practices.	Provides for affirmative action
YES	YES	YES	YES	NO	YES	NO	NO
<p>QUOTE RELEVANT CLAUSES</p> <p>Article 3 : Guarantees the right to all individual freedoms without discrimination by reason of race, place of origin, political opinions, colour, creed and sex</p>	<p>QUOTE RELEVANT CLAUSES</p> <p>Section 16 : Protection from discrimination "No law shall make any provision that is discriminatory either of itself or in its effect." 'Discriminatory' means affording different treatment to</p>	<p>QUOTE RELEVANT CLAUSES</p> <p>Section 16 : Protection from discrimination "No law shall make any provision that is discriminatory either of itself or in its effect." 'Discriminatory' means affording different treatment to</p>	<p>QUOTE RELEVANT CLAUSES</p> <p>Article 16</p>	<p>QUOTE RELEVANT CLAUSES</p>	<p>QUOTE RELEVANT CLAUSES</p> <p>Section 16 (4) C – for the application, in the case of persons of any such description as is mentioned in subsection (3) (or of persons connected with such persons), of the law with respect to</p>	<p>QUOTE RELEVANT CLAUSES</p>	<p>QUOTE RELEVANT CLAUSES</p>

	<p>different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour creed or sex.</p> <p>In 1995 the Constitution was amended to make sex discrimination illegal</p>	<p>different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour creed or sex.</p> <p>In 1995 the Constitution was amended to make sex discrimination illegal</p>			<p>adoption, marriage, divorce, burial, devolution of property on death or other like matters that is the personal law applicable to persons of that description</p>		
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Source: Constitution of Mauritius 1968 (amended in 2001, 2002 and 2003)

Affirmative Action

According to the Attorney General, “we prefer empowerment of women rather than affirmative action.” In addition, the Protocol has not been signed because of affirmative action. It is also to be noted that Temporary Special Measures as recommended by CEDAW with regard to women’s participation in decision-making have not been incorporated in the national law. The Government is convinced that equality of opportunity should be mainstreamed at all levels. The Constitution of Mauritius makes provision for non-discrimination.

Harmful Traditional Practices

There are no known harmful traditional practices in Mauritius, but following amendments to the Civil Status Act, a Muslim Family Council (MFC) has been set up under Section 2.9 in 1990. Section 26 of the Act gives the MFC authority to celebrate religious marriage with civil effect and Section 30(a) provides for celebration in accordance with Muslim rites.

‘Muslim women’s rights and equality before the law may be impinged upon, particularly in cases of divorce. One example is that the Supreme Court might grant a divorce but when the MFC calls for the man to pronounce the religious divorce, the latter might not turn up, and the woman is taken hostage. The MFC has no legal mandate to issue a warrant to search for the man or woman’ (excerpts from the CEDAW 2009 draft report for Mauritius).

Box 1: Practices that discriminate against women

Women in the Muslim Religion

In an article dated 12th June 2009 in Impact News, Mufti Mackoojee * stated: “a man must not swing his married life, the harmony of the couple and the stability of the children on the word *talaaq* (divorce)”. He also pointed out that “Allah Ta’ala has established the norm and has given men a privileged status” and went on to say “men have authority over women, due to the favours given by Allah”.

In an interview with Gender Links, Mufti Mackoojee said “although it is true that the authority to protect and look after belongs to man, Islam did not give man the full power to excise and abuse the wife. He is limited to govern on justice and fair play. Islam requires mutual consultation between the man and the wife as for marital issues. Men are strong physically and biologically while women are weak; it is the duty of the husband to provide and to fend for the wife. For purpose of management, the man takes responsibility and his authority is universally accepted in the family. Islam encourages the husband to take responsibilities outside the house while in the house the wife has the responsibilities.” Mufti Mackoojee confirms that a man can only give *talaaq* (divorce) - “a woman on the other hand cannot give *talaaq* but if she finds it difficult to keep on living with her husband because of an abusive relationship or because her husband is a drug user, she may apply for a *talaaq* from the MFC which is the Muslim

Marital Court. The wife also has the option of *khula* (offering an asset) to the husband. If the asset is accepted then the 'talaq' is agreed. If the husband refuses to take the *khula*, the wife can make an appeal to the MFC.

This privileged status of men by Allah (according to Mufti Mackoojee) is sometimes translated into action in Mauritius. "Many women who can no longer live with their husbands find it difficult to get *talaq*", Djemda (not her real name) told us. "If a woman wants a divorce she has to go to the Muslim Family Council as Civil marriage is not obligatory for the Muslims." In the Muslim Religion, the *Nikah* (muslim wedding) is more important than a civil wedding. The *Nikah* is governed by the *Shariah* (Islamic Laws) while civil marriage is not. "In fact the civil marriage may raise objection to the *Shariah* rulings of wealth and heritage and as such not recommended."

Djemda, a 30 year old social worker, helps women to come out of their traumatic experiences every single day. She works with sex workers, drug users and HIV positive women but she herself does not know where to turn to cope with her own emotional distress. "I have lived in an abusive relationship for seven long years. I have tried my best, thinking things will improve but when my son turned six, I decided I could no longer keep on with all this hypocrisy. My husband gambled and drank a lot. I finally took the decision that I should no longer close my eyes just because I belong to the Muslim community; I decided to ask for a divorce. Only men can give *talaq*, I therefore had to go to the Muslim Family Council. When I went there for the first time, I was faced by an austere panel of seven men and one woman, the latter was so shy that her presence remained unnoticed. I argued my case and gave the reasons why I wanted a divorce."

The panel fixed another meeting and asked Djemda to be accompanied by her husband. "At the next session my husband denied the charge and the panel believed him. I maintained my position. The Chair of the panel told me to bring two witnesses who have seen him gambling and drinking. The requirements were for the witnesses to be honest and to have a good reputation and they must pledge that they will never marry me. A third hearing was fixed and the panel heard my two witnesses. At a fourth hearing my husband was called to sign a paper. He denied again and refused to sign the paper. The experience has been so disturbing that I have decided not to go again. I really cannot understand why Muslim women must be discriminated against when they go for a divorce. I don't believe it's the religion that is bad but the bad interpretation given by some people."

*(Muslim Jurists are like the Judge of a conventional law, a mufti denotes a shariah ruling on basis of Quran, Hadice and Consensus)

According to the Attorney General, "there are very few women who have resorted to the Muslim Family Council as most cases for divorces are due to domestic violence and women go through the normal procedure, i.e. the law of the Republic of Mauritius."

Discriminatory legislation

The SADC Protocol provides that by 2015 SADC countries shall have reviewed, amended or repealed all discriminatory laws and specifically abolish the minority status of women:

The Attorney General informed Gender Links that “there has been a complete review of all discriminatory laws. All gender discrimination has been removed. The Office of the Attorney General instated a department called ‘the draft unit’ to make sure that all laws as well as languages are gender neutral. For example, instead of fisherman we say fishers and instead of watchman we say watchperson. Laws and rules of procedures everywhere including businesses and companies are now gender neutral.” A report on gender neutral language was commissioned by the Attorney General and his office has been giving all guidelines since. There have been a number of actions taken, e.g. on advertisements on billboards, radio and television that are inappropriate have removed. Media Watch Organisation-GEMSA has been instrumental in sensitization campaigns of sexist advertisements.

The Attorney General commented further, “we have established a Law Reform Commission and any person who feels aggrieved can go to the Commission to draw the attention of the Commission and ask for a review of the law. Before the establishment of the Commission only the judiciary could ask for review of the law but now any genuine person can take cases to Supreme Court.”

Table 3: Remaining discriminatory legislation

Discriminatory legislation	Action being taken	Comments
There is no discriminatory legislation in Mauritius	No need to take action	

Source: 2009 - Attorney General

Access to Justice

The Protocol provides for equality in accessing justice

Table 4: Access to Justice

Access to justice provision	On a scale of 1-10 with 1 very low and 10 very high how would you score your country	Provide an explanation
Equality of treatment of women in judicial and quasi judicial proceedings	8	Magistrates are gender sensitive and there is a new generation of women represented, making up 65% of the judiciary. Legal Secretaries are women and there is even one woman who is an usher. Women are sometimes faced with macho attitude from the police.
Equal contractual rights	10	No incongruencies regarding contractual rights; men and women are equal
The right to acquire and hold rights to property	10	Both women and men can acquire and hold properties.
Encouraging women to	10	There are more women than men in the

exercise their legal capacity		legal department.
Ensuring equality of women complainants in the criminal justice system	10	<p>Complainants go to the police, CID, ADSU, Police de l'Environnement (environment police). Sometimes they go to ICAC which has become very gender sensitive. There is also the Complaints Investigation Bureau, the National Human Rights Commission and the Ombudpersons' office, when there is misadministration.</p> <p>There are now two new bodies for members of the public – The Appeal Tribunal and the Complaint Tribunal regarding discrimination in promotion or in business. Women can complain if businesses are unfair to them; the country is practicing international norms.</p>
Equal representation in the courts, including traditional courts	10	<p>There are no traditional courts in Mauritius. No problems with juries the law is being changed. According to prior law, to be a jury member the person had to be fluent in English, this is being changed so that even persons who are not fluent in English can be on a jury.</p>
Accessible and affordable legal services for women	6	<p>Women are given full access to the Courts and get legal aid. Aid is available for petition for divorce, alimony and custody of their children before the Supreme Court. The Ministry of Women's Rights also provides services of Counsels free of charge to women who are victims of domestic violence to allow them to seek emergency protection orders, occupation orders and tenancy orders under the Protection from Domestic Violence Act.</p> <p>There was a problem regarding disposable income and assets, e.g. if a woman wants to divorce, the law states that she should earn less than Rs.3,500 and have assets less than 50,000. This is being changed so that women can get legal aid. Legal aid should not be based on income but on need for justice. When a person is arrested they can get free legal advice but Mauritius is instituting a</p>

		<p>law now so that requires each lawyer to give 30 hours of his/her time per year for free. The Green Paper will be circulated soon.</p> <p>In early July 2009, three female lawyers opened an office that gives free legal advice to women for half a day on a weekly basis.</p>
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Source: Year 2009 – Interview with the Attorney General

Marriage and family laws; widows and widowers; the girl and boy child

The Protocol makes reference to the following specific legislative provisions: Marriage and family rights and the rights of widows; elderly women; the girl child; women with disabilities.

Key marriage and family laws

- The Civil Status Act
- The Child Protection Act
- Protection from Domestic Violence Act
- Ombudsperson for Children Act setting up Office of the Ombudsperson for children
- Pensions Act (children, widows etc...)
- The principle of divorce by consent has been voted out but the law must now be passed (Attorney General).

Table 5: Marriage and family laws; the boy and girl child

Provision	Yes/No	Explain
Marriage		
No person under the age of 18 shall marry	Yes and No	The Civil Code provides that a person in Mauritius may get married at the age of 18yrs. However, a female aged 16yrs can get married with the consent of her parents, or with the consent of one of the parents exercising <i>l'autorite parentale</i> , (parental authority) or in the absence of the consent of parents, by the Judge in Chambers if the latter considers that it would be in the interests of the minor to get married.
Every marriage takes place with the full consent of both parties	Yes	As above
Every marriage including civil, religious, traditional or customary is registered	Yes	All marriages celebrated in Mauritius are registered with the civil status office. No religious ceremony may take place prior to the registration of the civil marriage and the issuance of the marriage certificate. However, in the case of the Muslim community, there is the possibility for Mauritian citizens to avail themselves of personal

Provision	Yes/No	Explain
		laws which provide for celebration of religious marriages subject to the provisions of the Civil Status Act being complied with. Articles 228-1 to 228-10 of the Civil Code also contain provisions in relation to religious marriages.
Parties have reciprocal rights and duties towards their children including when spouses separate, divorce or have marriages annulled.	Yes	These matters are governed by the Civil Code.
Maintenance orders are enforced	Yes	Section 261 of the Criminal Code criminalises the offence of failing to pay alimony.
Married women and men have the right to decide whether to retain their nationality or acquire spouse's nationality.	Yes	Prior to 1995, only Mauritian men could transmit Mauritian citizenship to their children or non-citizen spouses. The Constitution was amended in 1995 to provide for a Mauritian woman to have the same rights as a Mauritian man as far as transmission of Mauritian citizenship is concerned. Interestingly, this coincided with the inclusion of "sex" in section 16 of the Constitution on the grounds that discrimination is prohibited.
Widows and widowers		
Widows are not subjected to inhuman, humiliating or degrading treatment	Yes	No difference of treatment is afforded to widowers; they enjoy the same rights as any other citizen. For instance, they may elect to marry again if they so wish.
A widow automatically becomes guardian or custodian of her children, unless otherwise determined by a court of law.	Yes	Article 261 of the Civil Code. In cases of divorce the custody of children aged less than 5 years old is automatically granted to the mother unless there proves to be exceptional circumstances whereby the child's health or security might be at risk.
A widow shall have the right to live in the matrimonial house after her husband's death.	Yes	This is according to law.
A widow shall have access to employment and other opportunities.	Yes	Laws as well as empowerment programmes in Mauritius make provision for this.
Widows shall have the right to an equitable share in the inheritance of her husband's property.	Yes	Subject to the particular choice of matrimonial regime under which the marriage was contracted i.e "separation de biens" or "community of goods."
Widows shall have the right to remarry any person of their choice.	Yes	Women and men are equal in Mauritius and as such can remarry after a divorce.
Widows shall be protected from all forms of violence and discrimination	Yes	Widows are considered equal to any other citizen of Mauritius and have the same protection.

Provision	Yes/No	Explain
Girl and boy child		
Elimination of all forms of discrimination against the girl child.	Yes	Both girls and boys are considered equal and have the same rights.
Girls have the same rights as boys and are protected from harmful cultural attitudes	Yes	Both have the same rights.
Girls are protected from all forms of economic exploitation, trafficking, violence and sexual abuse.	Yes	The Human Trafficking Act has been passed in 2009 protecting all Mauritians.
Girl children have access to information, education, services and facilities on sexual and reproductive health and rights.	Yes	This is being done by the Child Protection Unit of the MWCDPW, the Ombudsperson for Children, the <i>Brigades des mineurs</i> (Brigades of Minors) and NGOs.

Source: State Law Office Year 2009



Craft Business Mauritius
Mauritiusgender bender_RR_2006

Photo: Rishie Ramnuth

GOVERNANCE *Article 12-13*

The SADC Protocol provides that member states should endeavour to ensure that 50% of decision-making positions in all public and private sectors are held by women including through the use of affirmative action measures.

Gender and political parties

Deva Virahsawmy, Secretary General of the Mauritius Labour Party, highlighted that the President of the Mauritius Labour Party is a woman. "This shows that we want to put gender high on the agenda with a woman ranking second in the hierarchy, coming immediately after the Prime Minister."

It is enshrined in the Labour Party's constitution that 30% electoral constituencies in the country should have female representation; there are three members that are elected and one must be a woman. At the level of the party itself, there are other structures namely the Executive Committee and the '*Bureau Politique*' where women are highly represented. There is also the women's league of the Labour Party; its members participate fully in all activities and have equal opportunity to implement policies for the party manifesto.

For the Mouvement Militant Mauricien (MMM), Rajesh Bhagwan, Secretary General said "there are five women in the politburo, eight women in the central committee and 20% to 30% of the 20 regional committee members are women. There are about ten women in the feminine wing of the MMM. The Vice President and the Deputy Secretary General of the MMM are both women."

Table 6: Representation of women and men in key party structures

PARTY	HEAD		TREASURER		SECRETARY GENERAL		FOURTH TOP POSITION		FIFTH TOP POSITION		SIXTH TOP POSITION	
	M	F	M	F	M	F	M	F	M	F	M	F
Ruling Party*	✓		✓		✓		✓		✓		✓	
Main opposition**	✓		✓		✓		✓		✓		✓	

Source: Secretary Generals of the Labour Party and the MMM – Year 2009

*The Ruling Party is a Social Alliance with the Mauritius Labour Party being the main partner with PMXD (Parti Mauricien Xavier Duval) and MR (Mouvement Republicain).

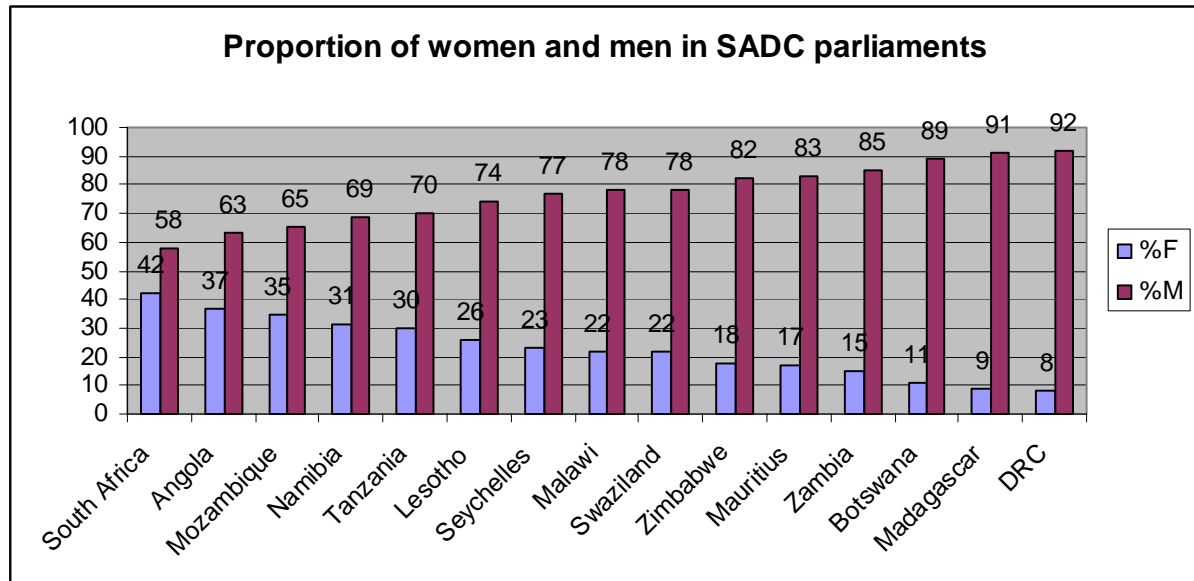
**The Main opposition is an Alliance of MMM (Mouvement Militant Mauricien) being the main partner and PMSD (Parti Mauricien Social Democrate).

According to Virahsawmy, "the party is familiar with provisions of the SADC Protocol on Gender and Development. The implementation of the various provisions is done both at the level of various Ministries and departments as well as NGOs. Members of Parliament of both the ruling party and the opposition are given the opportunity to participate in regional workshops and conferences so that they can learn from best practices."

"Party functionaries at the very highest level are aware of these provisions. The vice-president of the feminine wing has participated in all the SADC meetings. Women are given the opportunity to participate at all levels of decision-making", said Bhagwan. Ariane Navarre Marie backed this position by commenting, "there is a specific item on gender in every meeting of the Politburo and the Central Committee".

According to the graph and table below, Mauritius compares weakly with other SADC countries with regards to female representation at parliamentary level.

Graph 2: Proportion of women and men in SADC parliaments



Source: Gender Links Regional Barometer Report, 2009

Global and regional ranking of women parliamentarians

Country	% Women in lower or single house	Global rank	SADC Rank
South Africa	44.5%	3	1
Angola	37.3%	9	2
Mozambique	34.8%	15	3
Tanzania	30.4%	23	4
Namibia	26.9 %	21	5
Lesotho	25%	38	6
Seychelles	23.5%	41	7
Malawi	20.5%	52	8
Mauritius	17.1 %	66	9
Zimbabwe	16%	77	10
Zambia	15.2%	77	10
Swaziland	13.8%	83	12
Botswana	11.1%	95	13
DRC	8.4%	108	14
Madagascar			

Source: www.ipu.org

Party quotas for the representation of women

Labour Party: The party does not have a quota system. The Labour Party designates women candidates in a democratic manner and they participate in political activities in the same way as their male counterparts.

MMM: There is a minimum quota of two women in the politburo and the same in the central committee; over and above elections, appointments are initiated by the leader. Any *avant-garde* party must do its best to reach the targets set. The party leader, Paul Bérenger, has announced that if the party is elected during the next general elections, one of the five constitutional posts will go to a woman. This is a promising beginning and indicates that the intention is there.

"I am in favour of quotas as far as it is practicable. Women do not come in front to do politics. I think this is because the political system is rough. Gradually with the democratisation of politics, more and more women are getting into politics. Maybe political parties are not giving them enough space and opportunities either. We have to further enhance the place of women and the political will is there. Over the years, the MMM has given opportunities to women and will continue to do so." Ariane Navarre Marie, of the MMM, added "we do have a policy for a minimum of five women in the Central Committee; but there is no quota for the legislative elections."

Election candidates chosen for the party

Labour Party: The decision is taken by consensus with the leader of the party and its high-ranked officials.

MMM: It is the leader who decides on the candidates depending on the electoral wards, the performance and track record of the candidate, the work done in the ward, and whether that person is well accepted by the militants. The ethnic profile counts but it is not the sole criteria. MMM has not spared any efforts to make space for women; but the intention is also to file the best candidate as the purpose is to win the elections. Only one woman lost against the Prime Minister during the last elections and she was aware of the risk of losing. The party cannot deliberately file a candidate knowing that he/she will lose in a district. There are favourable and unfavourable districts.

"The voters would not vote for women people say. But I think that times have changed and that voters do not discriminate. Although there has been progress on that matter, more efforts need to be made." Navarre Marie added, "the same criteria for both men and women has been used so far for the selection of women, i.e. regarding the profile of the constituency. Now more emphasis is being given to gender balance. We also make sure that the candidate chosen is a real militant and has been involved in the ideology of the party. The candidate must form part of the structure of the party and expresses his/her interest as member of the Politburo."

Selection of women for primaries

There are no primaries in Mauritius, but Virahsawmy said "the three members who are elected at the level of the Constituency Labour Party should include one woman. The Secretary General of the party sees to it that women's participation is guaranteed; otherwise it will go against the spirit of the party's constitution." According to Bhagwan "it all depends on the districts where there are already very active women, the leadership makes the effort and there are women who emerge from grassroots. I am thinking particularly of a woman who is a social worker in Mahébourg. She goes everywhere on her bicycle to stick our posters. This lady has been elected in our politburo."

There is no PR system in Mauritius but according to Virahsawmy "a PR system will be more advantageous to women. They will be in the mainstream and this will help for the political empowerment of women."

Women's Wing

For the Labour Party, the Women's wing is presided over by a Chairperson and composed of all women members of the Executive committee, made up of 200 women (10 delegates from each constituency). There is a National Committee that meets regularly. The Secretary General of the party is present at every committee meeting. National issues are discussed such as women's rights, gender mainstreaming, women empowerment, women and politics. Occasionally the leader of the party attends these meetings.

Since its inception the MMM has had a Women's Wing but it was called the Women's Commission previously. It is an integral part of the leadership; its role is to make women's voices heard. Very often, the Vice-President of the women's wing, who is a former Minister of Women's Rights, presides over the delegates' assembly, the central committee, or at public meetings. Navarre Marie states, "the women's wing is consulted when we are preparing agendas, parliamentary questions and issues, on bills and the budget that are going to be passed in Parliament. The women in the party are encouraged to give their opinion on a vast number of issues and they are listened to. The leader insists that at each public appearance of the party, there must be a woman who will participate and not only a presence. The Vice-president of the Women's Wing is a good example. It has been found that some women especially home makers attend political meetings when they know that there will be a critical mass of women. They make their voices heard and women's issues are raised."

Measurable impact of women in the party

Labour Party: "Women's inclusion in the decision-making structures provides women Members of Parliament the opportunity to influence policy-making in favour of women. Since 2006, the national budgetary allocations have become gender sensitive. The leader gives the opportunity to all women representatives at the executive committee level to voice their feelings freely and to contribute positively to the programme and action of the Government," comments Virahsawmy. For the Labour Party the 30% representative at constituency level has encouraged more and more women to

participate actively at local authorities and Central Government level. There are more women Mayors now than in the past.

Virahsawmy states: "Women take strong positions against unwarranted attacks towards women in the party. A few cases are as follows:

- Case of Hon. Nita Deerpalsing who has been ill treated by the Hon. Leader of the Opposition and Leader of the MMM, Paul Raymond Berenger, with an unwarranted remark in regard to her marital status, telling her to look for a husband.
- Women condemn derogatory attitudes and language of elected Members of Parliament.
- Women take a stand on national issues.
- They mount campaigns in the media and in other fora to enhance their participation in politics.
- Women make it a point to keep regional and international organisations, e.g. UN, SADC, Socialiste Internationale, informed of the status of women in Mauritius.
- The setting up of 15 women centres across the country whereby women benefit from capacity building programmes and awareness on various issues related to women.
- The setting up of two Women Empowerment Development Centres geared towards women entrepreneurship development.
- Enactment of legislation namely the Protection from Domestic Violence Act and the Sex Discrimination Act."

MMM: "I do not have particular examples but I know that they [women] have their say in the party programmes and agendas," Bhagwan said. Furthermore, Bhagwan commented "but over the years what has constituted the electoral strength of the MMM has been, according to me, the majority of women. They have shown support and solidarity even in the worst times for the party."

Gender in political party manifestos

The MMM could not fill the matrix as Bhagwan pointed out "our last manifesto when we last went alone to the general elections dates back to 1983. It is now outdated. At all the other general elections, we were in alliance with other parties and the manifestos presented were jointly done."

Table 7: Gender in political party manifestos

PARTY	QUOTA AND NATURE/ NO	WOMEN PROJECTS	SPECIFIC	GENDER MAINSTREAMED IN MANIFESTOS
MLP		Yes		Yes*

Source: Labour Party Year 2009 (no details given and no copies of the manifesto available).

Campaign funding

According to the Labour Party, "as far as women's participation in politics is concerned, money does not play an important role. Candidature does not depend on the economic

status of the woman but rather on the farsightedness, efficiency, capacity as well as devotion the candidate has to the party. Of course, the party stands by all its women candidates for all strategic support including financial and organisational.”

For the MMM, “it is the militants who subsidize the party at various levels. But in our party, it is not money that determines who will be a candidate or not. We do not ask any contribution from candidates. There is no need to give money to get a ticket in the MMM.”

Gender in electoral processes

In an interview the Electoral Commissioner, Irfan Raman, confirmed that the electoral system in existence at the national and local level in Mauritius is the First Past the Post (FPTP) system. It is only in Rodrigues that the system is different with the Rodrigues Regional Elections Assembly system being a mixed system. Twelve members are elected by FPTP and six others by proportional representation and this system ostensibly works well.

The Sachs report (2001) and the report of the Select Committee of the National Assembly presided by a Mauritian lawyer both recommended to change the FPTP system as it causes too many distortions between the percentage of votes obtained by a political party and the number of seats it gets in Parliament. Gender featured very prominently in these two reports, particularly in the Sachs that claims Mauritius has a democratic deficit as far as women in politics is concerned.

The electoral system in Mauritius has had a number of women elected by accident. It appears the system does not favour the election of women.

Gender quotas

There are no quotas in place.

Constitutional and legislative provisions regarding appointments to the legislature

The Electoral Commissioner appears unsure about quotas. “Women should make their own way. The first obstacle playing against women is the electoral system. Then there is the fact that the political parties do not make space for them. Thirdly, women do not engage into politics for many reasons, one of them being the electoral system which does not suit their lifestyle”.

The Secretary General of the MMM is in favour of quotas as far as it is practicable. “Women do not come in front to do politics. I think this is because the political system is rough. Gradually with the democratisation of politics, more and more women are getting into politics. Maybe political parties are not giving them enough space and opportunities either. We have to further enhance the place of women but the will is there. Over the years, the MMM has given opportunities to women and will continue to do so.”

The Sach's Report of 2002 highlights Mauritius can justly be proud of the admiration which its democratic life enjoys internationally. It cannot however, hold up its head in terms of participation of women in political life. The terms of reference require Mauritians to make proposals regarding amendments to the Constitution so as to consolidate and strengthen the democratic system. A situation, in which half the population ends up with only a one-twentieth share of representation manifests a grave democratic deficit which, the authors of the report believe, requires special attention. It appears the under representation is acknowledged; the figures speak for themselves and none of the deponents attempted in principle to justify them. Given the generally progressive and open nature of Mauritian society, the gross degree to which women are under-represented in Parliament and government comes as a surprise. Sachs proposed several PR Models that could be adapted to Mauritius. "We endorse the view that the major responsibility for correcting the massive gender imbalance rest with the parties." This view is shared by Sheila Bappoo, Minister of Security Social in an interview for the "Coalface" where she added "there must be commitment at the level of political party, this is democracy and we must walk the talk. We do lobby but we get very little in return. The lobby must be stronger. I do not believe in quota. The political parties should prove their commitment to the issue." Furthermore, Dev Virahsawmy, political analyst and former Member of Parliament, said "although an imperfect system, we have to resort to this and complement it with the zebra system to ensure a better female representation because male lobbies and prejudices are strongly conservative."

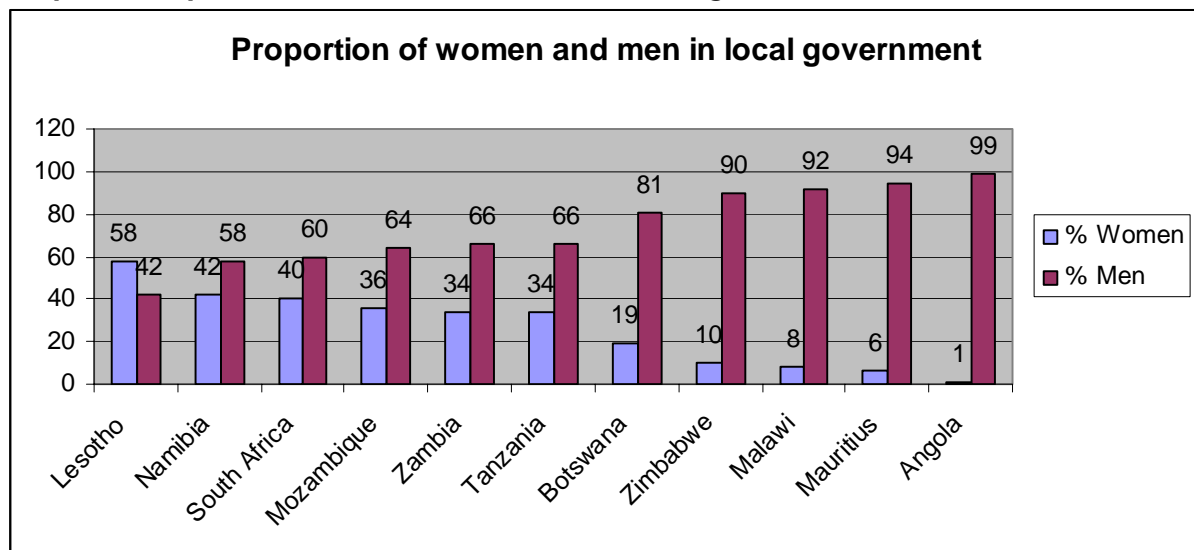
The Attorney General agrees with Virahsawmy "the fact that there are so few women in politics indicates we have to go through a system of quota in the first instance, the political parties will have to make the efforts. Men are sometimes unfair when they campaign and it has been difficult to put quota on the party list."

Henri Marimootoo, former President of Media Trust and Senior Journalist believes "whether it is for the media or for political parties or political institutions, imposing quotas to foster gender equality is a bad policy. Quotas just for the sake of representation completely disregard merits and can cause injustice. We need a level playing field for all irrespective of gender, sex, religion or colour. I think that the under-representation of women in the Mauritian society is the consequence of their own timidity. It is up to them to raise the challenge."

Quotas at national and local level

There is no quota system in Mauritius. For the first time in Mauritius history, last year the Public Service Commission appointed a woman as electoral officer. Also, the higher executive officer is a woman. In addition, the secretary is a woman and she acts also as Principal Assistant Secretary to the Prime Minister's Office. More women are employed in the clerical department than men. At the Electoral Supervisory Commission, there is only one member out of seven who is a woman. There are a number of women working during the polls. During the last general elections, four out of 21 Returning Officers were women. During the last by-election in March, there was one woman chosen as Returning officer. Compared with the SADC region, Mauritius shows poor representation of women at the local level as indicated in the graph below.

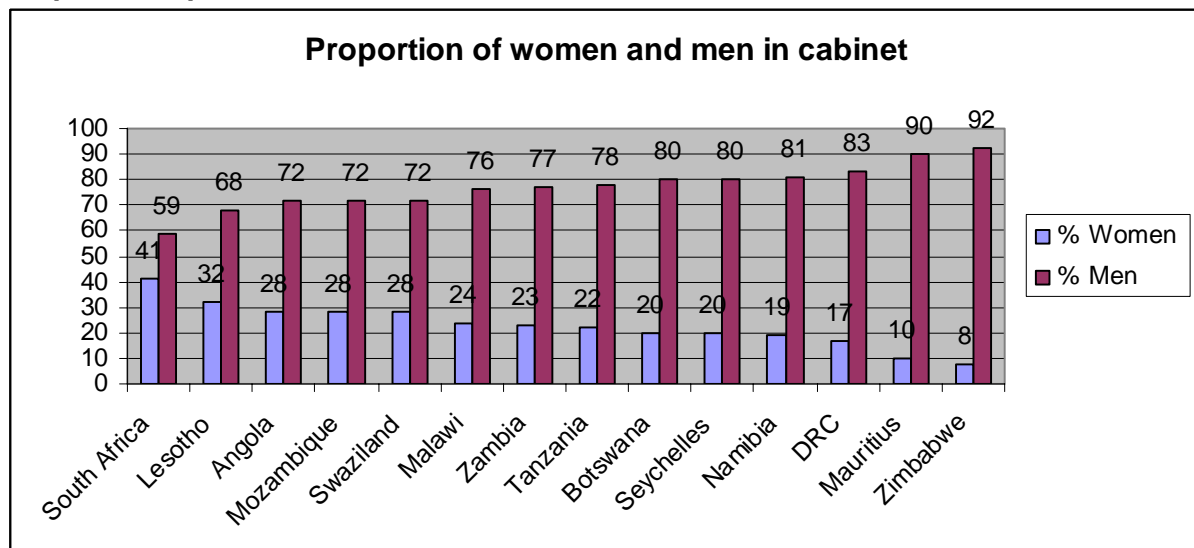
Graph 3: Proportion of women and men in local government



Source: Gender Links Regional Barometer Report, 2009

A similarly discouraging reflection can be seen at cabinet level in Mauritius compared with the rest of the SADC region.

Graph 4: Proportion of women and men in cabinet



Source: Gender Links Regional Barometer Report, 2009

Gender and voters

The law relating to elections and registration in Mauritius does not allow for determination in terms of gender or age. Mauritius is behind compared to other countries in this matter and although the issue has been contended and acknowledged many times, there is little political will in terms of change.

Table 8: Women and men registered to vote

	Last two elections (2000)				Latest election (2005)			
Age	Women	Men	Total	% Women	Women	Men	Total	% Women
18 – 25								
26 – 35								
36 – 45								
46 – 60								
61+								
Total			779431				817305	

Source: Electoral Commissioner's Office (2008)

It has not been possible to identify if there are more women or men on voters lists as this data is not gender disaggregated. The total list of voters for the 2005 general elections in the 21 Constituencies of Mauritius was 817 305.

Political parties and women voters

Both the Labour Party and the MMM target women voters through door-to-door meetings, press conferences etc. The women's league in both parties is particularly active in this regard.

"The Leader of the Labour Party has often drawn the attention of women to the fact that sometimes the men folk get elected whilst women stand to be losers. The way the leader of the party talks to women has motivated women not to underestimate their potential. Women have indeed great potential and sometimes they do not realise how big their potential is," said the Secretary General of the Labour Party.

The MMM has training sessions in regional committees and in all districts, "we have women's units and they have their own activities. Our focus is not on gender but on burning issues. For instance, we recently did a training session on the budget in the south of the island and we had 500 women who attended. We regularly do these training sessions."

In 2006 during an interview done by Gender Links for the research "At the Coalface – Women in Local Government", Roukaya Kasenally, Senior Lecturer of the University of Mauritius and one of the promoters of voters' education, commented "voter education is of utmost importance as change can be brought if the people demand it. Citizens must be trained in new democratic processes. They must know how to vote. People must understand the value of change."

Election outcomes

Table 9: Candidates fielded at national level

PARTY	LAST TWO ELECTIONS				MOST RECENT ELECTIONS			
	M	F	TOTAL	%W	M	F	TOTAL	% W
Ruling Party*	109	11	120	9.2	54	6	60	10.0
Main opp**	109	11	120	9.2	50	10	60	16.7

PARTY	LAST TWO ELECTIONS				MOST RECENT ELECTIONS			
TOTAL	218	22	240	9.2	104	16	120	13.3

Source: Government Gazette – December 1995, September 2000, June 2005

Table 10: Candidates fielded at local level

PARTY	LAST TWO ELECTIONS				MOST RECENT ELECTIONS			
	M	F	TOTAL	%W	M	F	TOTAL	% W
Ruling Party*	223	29	252	11.5	110	16	126	12.7
Main opp**	207	20	227	8.8	106	20	126	15.9
TOTAL	430	49	479	10.2	216	36	252	14.3

Source: Government Gazette, September and October 1996, September 2001 and September 2005

The figures indicate that there was a decrease in women candidates at the last General Elections in 2005 (36 compared to 49 for the two prior elections); the figure does not reach the 30% that the Government committed to in the SADC Declaration of Gender and Development. Now that the Declaration has been elevated to a Protocol and highlight that by 2015 there should be 50% women in decision-making positions, urgent action clearly needs to be taken.

Table 11: Election results national

PARTY	LAST TWO ELECTIONS				MOST RECENT ELECTIONS			
	M	F	TOTAL	%W	M	F	TOTAL	% W
Ruling Party*	108	10	118	8.5	38	4	42	9.5
Main opp Party**	8	0	8	0	17	7	24	29.2
TOTAL	116	10	126	7.9	55	11	66	16.7

Source: Government Gazette, December 1995, September 2000, July 2005

Table 12: Election results local

PARTY	LAST TWO ELECTIONS				MOST RECENT ELECTIONS			
	M	F	TOTAL	%W	M	F	TOTAL	% W
Ruling Party*	202	28	230	12.2	107	15	122	12.3
Main opp Party**	11	0	11	0	4	0	4	0
TOTAL	213	28	241	11.6	111	15	126	11.9

Source: Government Gazette, October and December 1996, October 2001 and October 2005

*The Ruling Party is a Social Alliance with the Mauritius Labour Party being the main partner with PMXD (Parti Mauricien Xavier Duval) and MR (Mouvement Republicain)

**The Main opposition is an Alliance of MMM (Mouvement Militant Mauricien being the main partner and PMSD (Parti Mauricien Social Democrate)

From being in the last position compared to all SADC countries with regard to female representation in Parliament, the country has made a positive leap after the 2005 general elections and is now in 5th position with its 17.1% women in Parliament.

From a gender perspective local government is the closest and most accessible sphere of government to women. Local governments provide services most concerned with households such as electricity, waste disposal, water, pre-primary schools, markets with special stalls for women, and other social services. The decisions of local government therefore have a direct impact on women because women are traditionally responsible for caring for the families. Yet in Mauritius where women could have made their entry as councillors, the figure is lower at local level (11.9%) than at national level (17.1%).

In 1997 Vacoas/Phoenix had its first woman Mayor who did a lot to give a new face to this Municipality. From Mayor, Ms Indira Seebun is now Minister of Women Rights, Child Development and Family Welfare. Seebun states, *"women do make a difference. They are deeply committed in whatever they do. The face of local government can change with more women councillors. They understand social and family problems far better than men. They react fast and have the natural ability to detect problems and come out with solutions. They are so used to managing hundreds of things at one time that they are bound to be proactive."*

Cabinet

Table 13: Women and men in cabinet

	No women	No of men	Total	% women	% men
Ministers	2	18	20	10	90
Deputy ministers	0	0	0	0	0

Source: Secretary to the Cabinet - (2008)

There are no Deputy Ministers in Mauritius but in September 2008 six Parliamentarians were elevated to the status of Parliamentary Private Secretaries which is equivalent to Junior Ministers. Kalyani Jugroo was the first woman to be nominated as Deputy Government Chief Whip. Before the 2005 general elections there were two women in cabinet and this figure has remained the same.

Women Ministers in Mauritius have always been in traditional ministries, e.g. Ministry of Women's Rights, Child Development and Family Welfare, and Social Security and National Solidarity. In 2003 for the first time a woman became Minister of Arts and Culture and she remained in the post for only two years. There has never been a woman President, nor Prime Minister or Deputy President in Mauritius.

The Public Service

Women in public sector

Table 14: Women and men in the public service

	2005			2006			2007			2008		
	No. of Female	Total	% Female	No. of Female	Total	% Female	No. of Female	Total	% Female	No. of Female	Total	% Female
Senior Chief Executive	2	5	40	3	6	50	2	5	40	2	3	66.7
Permanent Secretary	11	31	35.5	10	29	34.5	9	27	33.3	9	26	34.6
Principal Assistant Secretary	20	58	34.5	23	60	38.3	23	56	41.1	21	58	36.2
Director or Head of Departments / Ministries	66	191	34.6	84	234	35.9	73	205	35.6	73	204	35.08

Source: Statistics Unit, Ministry of Women's Rights, Child Development and Family Welfare

As shown in Table 14 above the percentage of women in decision-making levels is considerably high compared to women in politics.

Women in the Judiciary

With the introduction of free education in 1976, increasingly more girls enrolled in secondary education. Equal opportunities for girls to pursue further studies resulted in an increase of women deciding to pursue studies in Law. Hence there is an increase in the number of women in the legal profession.



Woman voter in Mauritius
Maurwomvoter_GL_04

Photo: Gender Links

Table 14 (a): Women in the legal profession

	2005			2006			2007			2008		
	Female	Total	% Female	Female	Total	% Female	Female	Total	% Female	Female	Total	% Female
Chief Judge	0	1	0	0	1	0	0	1	0	0	1	
Senior Puisne Judge	0	1	0	0	1	0	0	1	0	0	1	
Judges	5	11	45.5	5	12	41.7	4	9	44.4	6	12	50
President Industrial Court	1	1	100	1	1	100	1	1	100	1	1	
President Intermediate Court	1	2	50	1	2	50	1	2	50	2	2	100
Vice President Industrial Court	0	0	-	0	1	0	0	0	0	0	1	
Vice President Intermediate Court	1	3	33.3	1	2	50	1	2	50	1	2	50
Magistrate Intermediate Court	5	7	71.4	6	8	75	7	9	77.8	5	6	83.3
Senior District Magistrate	5	9	55.6	3	6	50	4	7	57.1	4	11	36.4
District Magistrate	5	14	35.7	10	23	43.5	15	24	62.5	16	24	66.7
Chief Registrar	0	1	0	0	1	0	0	1	0	0	2	0

Source: Statistics Unit, Ministry of Women's Rights, Child Development and Family Welfare

Participation

The Protocol provides that State Parties shall ensure the equal participation of women and men in decision-making by putting in place policies, strategies and programmes covering the various aspects in the table below:

Table 15: Enhancing participation by women in public life

Measure of participation	On a scale of 1-10 with 1 very low and 10 very high how would you score your country	Explanation
Leadership, gender sensitivity training or mentorship	6	The Sex Discrimination Act 2002 and the Equal Opportunity Act 2008 ensure the equal participation of women and men in decision-making.
Support structures for women in decision-making	6	The Sex Discrimination Act 2002 and the Equal Opportunity Act 2008 ensure the equal participation of women and men in decision-making.
Establishment and strengthening of structures to enhance gender mainstreaming	4	Some Ministries have a gender desk but the main gender machinery of Mauritius is the Ministry of Women's Rights, Child Development and Family Welfare.
Changing discriminatory attitudes and norms of structures and procedures	7	The Sex Discrimination Act 2002 and the Equal Opportunity Act 2008 ensure the equal participation of women and men in decision-making.
Inclusion of men in gender related activities including community mobilization	4	The MWRCDFW has started with a "Men as Partners" Programme.

Source: Civil Service Office 2008

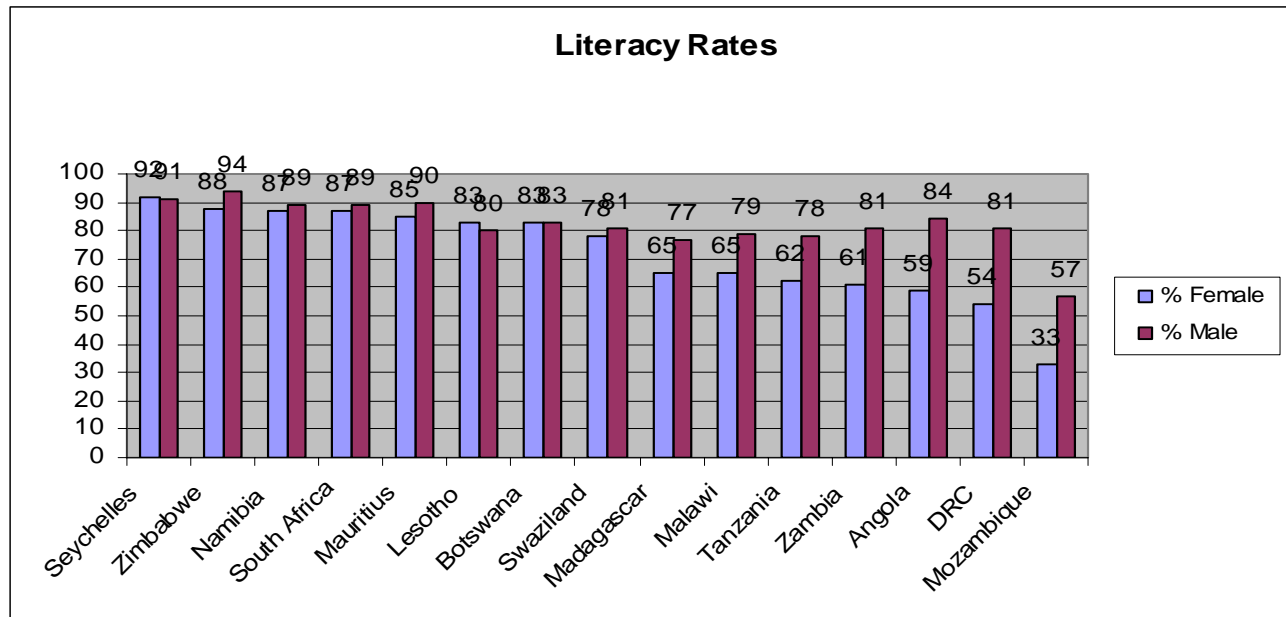
EDUCATION AND TRAINING *Article 14*

Enrolment and retention

The Protocol provides that state parties shall enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education

According to the graph below, Mauritius has an above average literacy rate when compared with other countries in the SADC region.

Graph 5: Literacy rates



Source: Gender Links Regional Barometer Report, 2009

Table 16: Access and enrolment in education sector/specify the year

Type of data	Boys/men	Girls /girls	Total	% women/girls	% men/boys
Literacy					
Enrolment					
Primary School	60698	58329	119027	49%	51%
Secondary School Academic	55873	60630	116503	52%	48%
Secondary Pre Vocational	5336	3159	8495	37.2%	62.8%
Tertiary level	3861	4607	8468	54.4%	45.6%
Vocational *					
Drop out					
Primary school		-	-	0.57	0.12
Secondary school					
Tertiary level **					
Vocational **					

Source: Central Statistical Office Year 2008

* Vocational figures include Polytechnic schools, pre-vocational schools, and the Industrial and Vocational Training Board (IVTB) enrolment figures.

** Dropout rates for Secondary, Tertiary and Vocational Levels are very difficult to obtain. In 2005, the government of Mauritius applied the School Obligation up to the age of 16 years. Thus many students that left school came back into the educational system. It is difficult to have an estimate for the year 2008. The Education Unit of the Central Statistics Office is working on a new method to calculate dropout rates according to Mr D. Potheegadoo, senior statistician at the CSO.

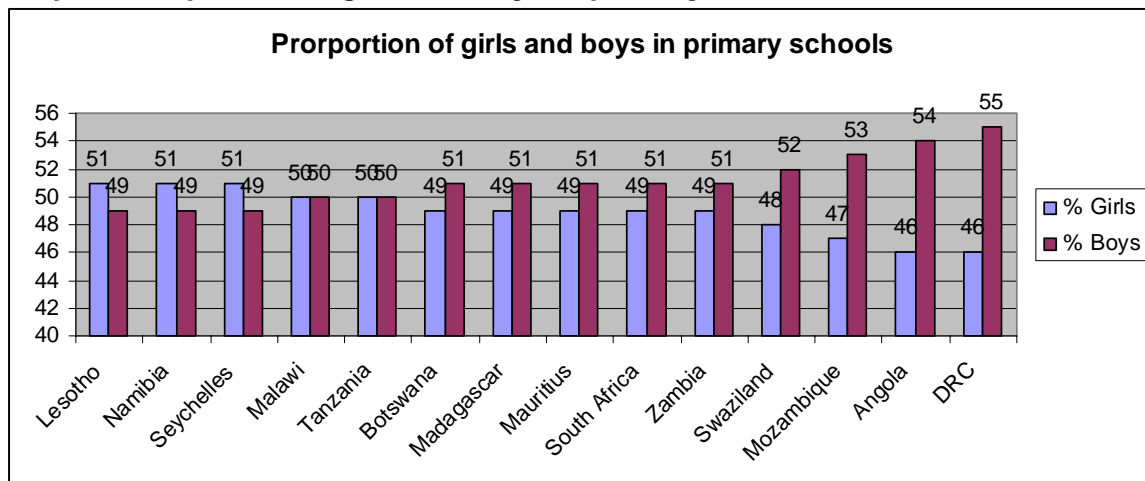
In primary schools and vocational institutions there are more males than females whereas in secondary and tertiary institutions the opposite is true. According to Dev Virahsawmy, there are more boys in primary schools because in poor, large, mostly single female headed households, the oldest girl is asked to stay at home to look after younger siblings, especially when the mother has to go out to work.

"In vocational institutions this [more males] is due to the fact that most courses are geared towards the needs of males who control most skilled manual work leaving unskilled work to women. Jobs and training must be demasculinised. In secondary and tertiary institutions females, mostly middle class, strive hard for they know that academic success means more freedom and a better standard of living," Virahsawmy said.

The Education Act was amended in 2004 to provide compulsory education up to age of 16yrs. In addition, any pregnant student is allowed to attend school including after delivery. Provision is made for that in the Law. Pupils who have failed their Certificate of Primary Education or have reached 13yrs are admitted in pre-vocational schools for a 3-year course. Upon completion of the course, they are shifted to a one-year course at IVTB for a National Trade Certificate Foundation Course. As a logical extension of the introduction to free secondary education, free transport is provided to all school children including those attending tertiary institutions, as from September 2005. These measures ensure that girls have equal access to education.

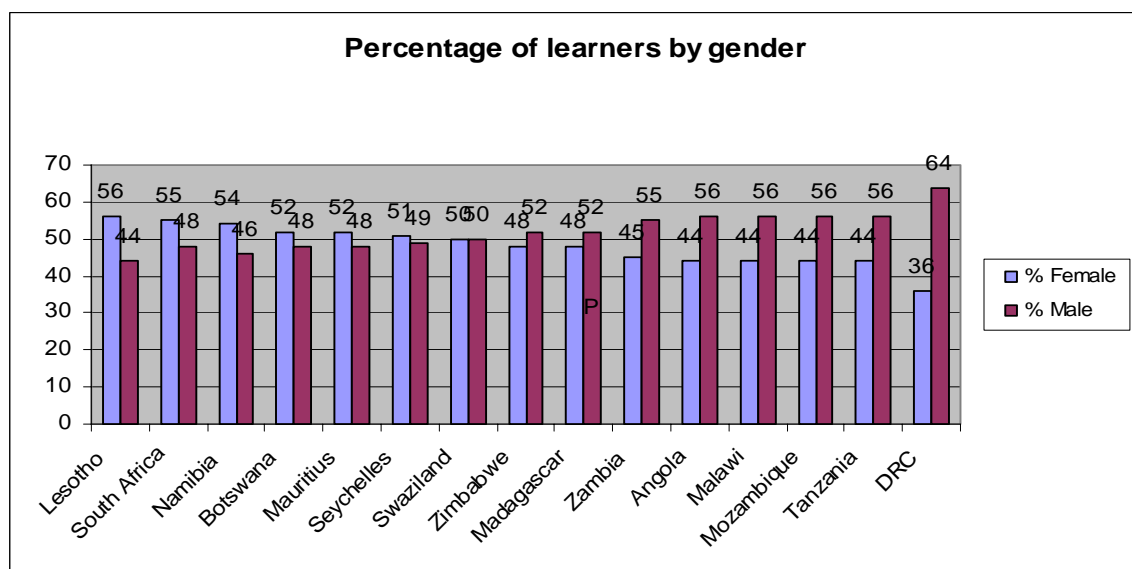
"The only discrimination I can find is regarding scholarships. Girls are doing better, they are greater in number with better results than boys but only 50% of state scholarships go to them. This should be given according to their results, then girls would have received more scholarships than boys", claims the Attorney General. The graphs below indicate Mauritius' ranking against other SADC countries with regards to females represented in both primary and secondary education. As stated above, boys outnumber girls in primary school but the reverse is true by secondary school enrollment.

Graph 6: Proportion of girls and boys in primary school



Source: Gender Links Regional Barometer Report, 2009

Graph 7: Proportion of girls and boys in secondary school



Funding mechanisms for access to higher education

All funds are accessible to both women and men and the Budget 2008 makes provision of Rs.1bn for a Human Resource Development, Knowledge and Arts Fund to finance physical infrastructure for tertiary education, equipments, student loan schemes, etc. There are a variety of Loan Schemes and Scholarships/prizes for students given by the Government of Mauritius, Banks, Family Trusts, private sectors and overseas organizations. Some of them are as follows:

- SSR Foundation Fund Loan Scheme
- Needy Students Fund
- Trust Fund for Social Integration of Vulnerable Groups

- The Soomunth Balgobin and Maya Balgobin Trust Scholarship
- The State Insurance Company of Mauritius Scheme for Needy Students
- Partial Scholarships for Postgraduate Needy Students
- Fondation Espoir et Development to Needy Students
- Fondation Medine Horizons
- Mauritius Duty Free Paradise Co. Ltd Scholarship Scheme
- Barclays Bank PLC Mauritius Scholarship for Needy Students

In addition, a wide variety of scholarships are given to students in post graduate studies.

Performance

Table 17: Pass rates

	% boys/men	% girls/women
Primary	62.6	73.8
Secondary O Level	71.5	81.2
Secondary A Level	74.6	82.3
University *	44.3	55.7
Vocational		

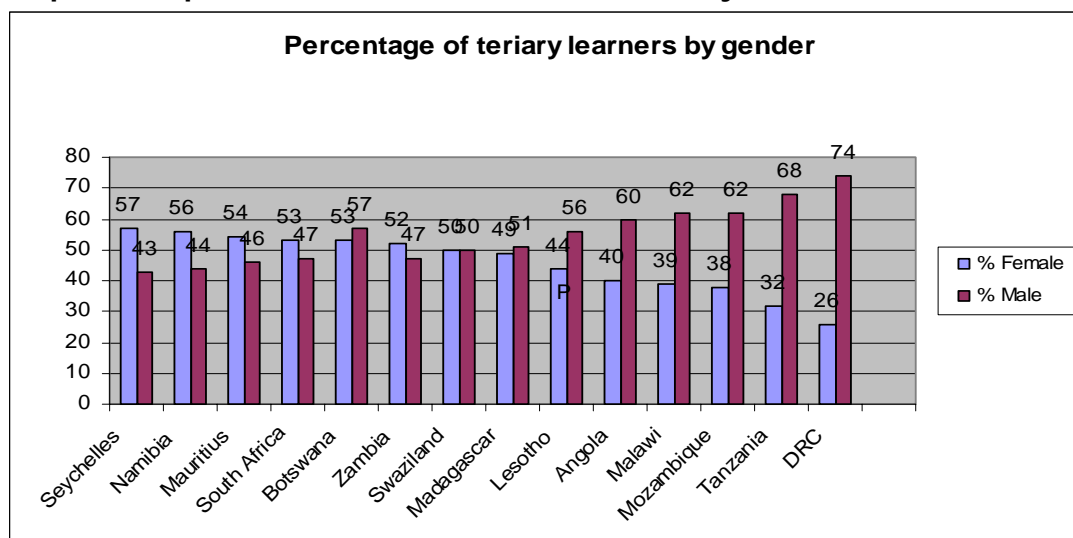
Source: Mauritius Examination Syndicate Year 2008

* Pass rates calculated on the output figures of University of Mauritius only.

In terms of performance it appears girls achieve higher score to boys. The Attorney General attributes maintains, "girls do much better than boys because boys have been spoilt while girls have to strive hard. They know they must work hard to get a scholarship for further studies. This has made them become more studious and do better than boys at examinations. Measures must be taken to give girls more scholarships than boys, as they are doing better."

Compared with the SADC region, Mauritius fares well with regard to women in tertiary education as indicated in the graph below (Gender Links Regional Barometer Report, 2009).

Graph 8: Proportion of women and men in tertiary education



Challenging stereotypes

The Protocol requires that by 2015 state parties adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence.

Table 18: Gender disaggregated data on school administration

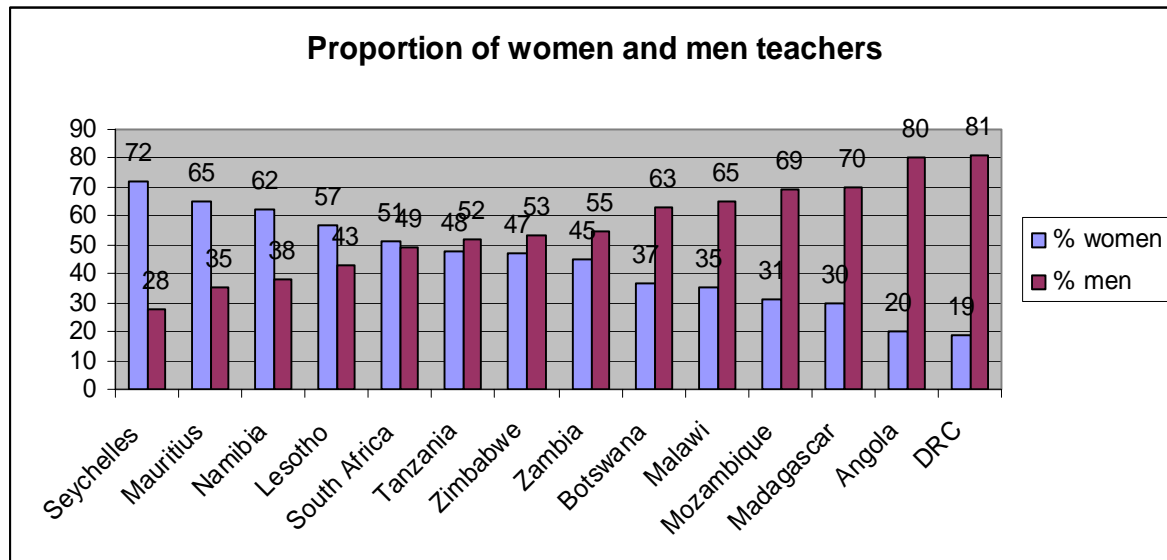
Staff category	No women	No men	Total	% women	% men
Principals	128	161	289	44.3	55.7
Teachers	4911	2603	7514	65.4	34.6
School governing bodies					

Source: Central Statistical Office (2008)

The Governing Body for all public, private, secondary and tertiary schools is the Ministry of Education and Culture. There is a Roman Catholic Education Authority for primary schools and a Catholic Education Bureau for secondary schools as well.

Although there is no discrimination as to the school teachers who will teach boys and girls respectively, there are more male Principals than female. The following graph indicates the number of women to men teachers in the SADC region; Mauritius ranks second by comparison.

Graph 9: Proportion of women and men teachers



Source: Gender Links Regional Barometer Report, 2009

Table 19: Women and men in university faculties

Faculty *	No women	No men	Total	% women	% men
Social Studies and Humanities	450	130	580	77.6	22.4

Science includes Medicine	245	172	417	58.8	41.2
Engineering	206	483	689	29.9	70.1
Law and Management	589	365	954	61.7	38.3
Agriculture	82	25	107	76.6	23.4

Source: University of Mauritius (2009)

The question of choice of subjects does not arise at primary level since there is one curriculum for all. At lower secondary level, boys and girls study the same subjects. The only exception is that Communication Design and Technology is taught in boys' schools whereas Home Economics is taught in girls' schools. At the upper secondary level, the options given to boys and girls are relatively similar, the paths on offer for both being science, economics and humanities. These options are to a large extent based on the demands made by the students themselves. Again, the exception relates to the technical stream, Design and Technology being offered in boys' schools whereas girls' schools propose Food Studies and Design and Textiles. In some mixed schools, however, like the Mahatma Gandhi Secondary Schools or some Private Secondary Schools, boys and girls are able to study both Communication Design and Technology and Home Economics, at least during the first two or three years of secondary. Later, for Form IV or Form VI, boys and girls are given the same options to choose from. Though, the same choice is given to both boys and girls in these above mentioned mixed schools, it is noted that the tendency is towards stereotypes; very few boys opt for Food Studies and similarly few girls opt for Design and Technology.

While Mauritius has largely met the EFA Goals and the third Millennium Development Goal to eliminate gender disparity in primary education by 2015, efforts are still being made to tackle the few disparities that remain at the secondary level. With the New National Curriculum Framework at the primary level, gender parity has been reinforced. Both boys and girls study the same subjects and are exposed to the same pedagogy. All gender stereotypes have been removed from instructional materials to create a more enabling environment for self-esteem and personal development of both sexes. This is ensured through an integrated approach. At the secondary level, pending the finalization of the new National Curriculum Framework which is currently being drafted, the policy document, 'Towards a Quality Curriculum' – A Strategy for Reform' (Ministry of Education, 2006) lays down the major curriculum orientations for an education meeting the standards of quality, equity, relevance and parity. The guiding principles of the document reinforce learning strategies which not only develop cognitive skills of the students but also ensure the strengthening of their life skills, critical thinking and decision-making. This applies to both girls and boys who consequently are able to decide on their own lives, assert their own rights and above all consider themselves as independent thinkers.



Male nurse Mauritius
male nurse mauritius

Photo: GEMSA

The policy document at the same time addresses some of the areas which suffer from gender bias, like the access to programmes and choice of subjects. Presently, as stated above, girls choose Home Economics while boys select Design and Technology. This may be considered discriminatory and the new curriculum pleads in favour of equal educational opportunity in choice of subjects, which will eventually lead to more informed career choices. Science as a compulsory subject has been introduced at Forms IV & V on a pilot basis this year (2009) in an effort to make it popular and encourage more girls to take it. In the field of sports, activities traditionally reserved for boys are now being offered to girls through infrastructural facilities. Increasingly more girls are being trained in "male" disciplines.

Regarding the Pre-Vocational sector, girls are given an opportunity to acquire, not only basic numeracy and literacy skills, but also life, communication, livelihood and trade skills. This is a step to enable young women to break the cycle of poverty they are exposed to through a technical/vocational apprenticeship. Girls as well as boys can choose from a list of trade subjects including carpentry, sewing, computer programming, etc.

Being process/project-based, the pedagogical approach of the Pre-Vocational curriculum ensures that both sexes develop the competencies which will be required for continuing

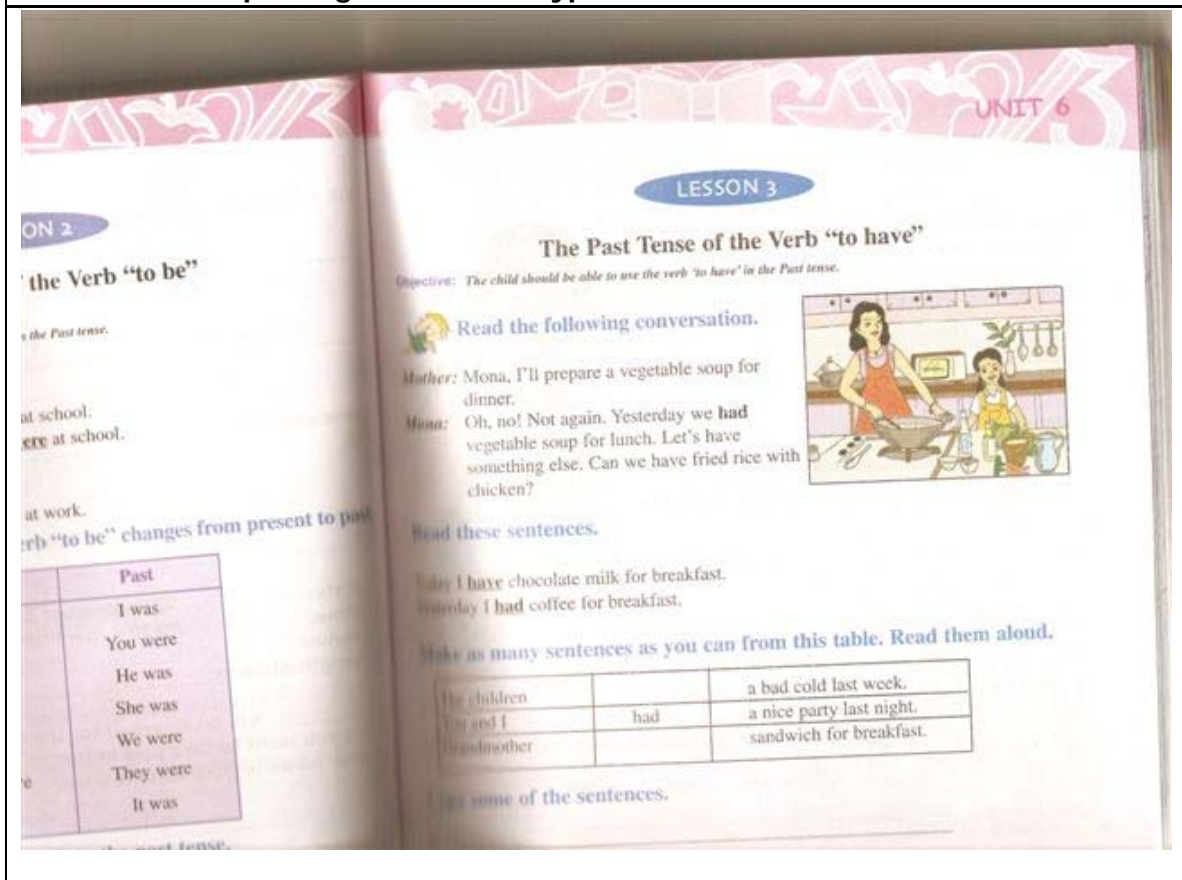
and life-long learning. This is a strong measure that combats drop-out after the primary cycle. The performance of boys is found to be lagging behind that of girls at both primary and secondary school levels. For instance the performance of girls at the Certificate of Primary Education (CPE) far exceeds that of boys (73% compared to 62% in 2008). These have resulted in a larger proportion of boy repeaters at the primary level and in the prevocational classes. The enrolment ratio for boys at secondary level is consequently lower than that of girls.

Implementation of the Programme Based Budget is geared towards developing gender-sensitive indicators to monitor gender gaps in learning achievement and developing appropriate strategies for gender-differentiated pedagogy. The Education and Human Resource Strategy Plan recommends the engendering of policies pertaining to the education and training sector. Pending the finalisation of the National Curriculum Framework for secondary and the development of instructional materials, Pupils' Textbooks and Teachers' Resource Books for upper primary are being written where gender equality will be the high watermark. Enrollment for participation in subjects like Chemistry and Biology has reached parity. However, in view of addressing the issue of disparity in Physics at Higher School Certificate, a new subject namely "21st Century Science" will be introduced shortly as a compulsory subject through School Certificate level (Draft CEDAW Report).

According to the Child Development Unit, "all subjects are still not considered unisex subjects; for instance boy's schools do not provide Food Studies and Fashion and Fabric and subjects such as Design and Technology are not available in girl's school. Two technical scholarships are given to boys while only one is given to a girl. It should have been the same to encourage girls to go into technical fields." The Government appears committed to encourage girls to take up non-traditional subjects including science and technology as well as choosing careers which are male-dominated.

Below is a picture from the Standard 3 English Book from the Ministry of Education and Human Resources 2009 edition which shows subtle stereotyping, i.e. a girl helping her mother/another woman in the kitchen. The Ministry of Education is revising all training manuals and books to make sure that there are no gender stereotypes.

Box two: Example of gender stereotypes in educational materials



Gender violence in schools

Studies that have been conducted on GBV in the Education sector

Regulation 34 of the Education Act 1957 empowers Heads of Schools to construct school rules and regulations to ensure that the daily teaching/learning activities take place in a secure and safe environment. The responsibilities, involvement and collaborative efforts of the school personnel, students and families also act to maintain a safe school environment for both sexes. This is as much an externally imposed policy as an internal administrative endeavor. There are, however, a few isolated cases of lack of discipline and violence in schools.

Sanctions and disciplinary measures are imposed on both sexes depending on the gravity of the situation. The very essence of education is to further equal opportunities for all and avoid non-discriminatory measures. In developing education policies, the authors of the Education Act had considered equality of opportunity and, hence, equality of treatment to all. Sensitisation campaigns on gender violence and violence against children are conducted regularly at all schools.

Studies that have been conducted on GBV in the Education sector

The report on 'Discipline and Violence in Secondary Schools' was published in 2006; it addresses the problem of violence in schools and does not relate solely to gender based violence. The inquiry, which was conducted in both boys' and girls' schools, showed that the kind of ineffective discipline and violence that prevails in each situation is varied. The research has highlighted various factors which lead to discipline problems and violence in secondary schools. These include:

- A lack of communication among family members or a lack of parental control over their children
- Peer influence
- The socio-economic environment of adolescents
- An absence of a guiding policy from the concerned Ministry
- The psychological development of adolescents
- A lack of awareness of existing laws
- Fear of retaliation and/or legal prosecution from the school management and teachers

Furthermore, teachers refrain from applying punitive measures for fear of prosecution by the Ombudsman for children.

Sanctions taken against perpetrators of GBV who are government employees such as teachers, principals, officials

According to the Attorney General severe measures are taken against perpetrators of GBV. "Teachers used to be transferred which means transferring the problems but now they are being prosecuted."



Girls participate in art therapy programme, Mauritius
Art Therapy By Anushka (2)

Photo: Gender Links

PRODUCTIVE RESOURCES AND EMPLOYMENT, ECONOMIC EMPOWERMENT
Article 15–19

Women and men in economic decision-making

The Protocol provides that state parties shall, by 2015, ensure equal participation by women and men in policy formulation and implementation of economic policies.

Table 20: Women and men in economic decision-making

Position	Name	MALE (TICK)	FEMALE (TICK)
Minister of Finance	Hon. R.K. Sithanen, G.C.S.K	√	
Deputy Minister of Finance	N/A		
Financial Secretary (Permanent secretary/DG)	A.Mansoor	√	
Minister of Economic Planning	Within the portfolio of Minister of Finance	√	
Deputy Minister of Economic Planning	N/A		
Permanent secretary/DG	N/A		
Minister of Industry, Science & Resources (Trade and Industry)	Hon. D. Gokhool	√	
Deputy minister of Trade and Industry	N/A		
Permanent secretary/DG	S. Ragen	√	
Governor of the central or reserve bank	M.Bheenick	√	
Deputy governor of the reserve bank	N/A		
Any other key persons relevant to economic decision-making in your country			
Minister of Foreign Affairs, Regional Integration and International Trade	Dr. the Hon. A.Boolell	√	
Secretary for Foreign Affairs	H.E. A. P. Neewoor	√	
Attorney General	R. Valayden		
TOTAL		8	0
PERCENTAGE		100%	0%

Source: Year 2009 – Secretary to Cabinet

Table 21: Private sector and parastatal leadership

	Women	Men	Total	% women	% men
Private					

sector					
Directors of Boards	53	816	869	6.1	93.0
CEOs	32	354	386	8.3	91.7
Parastatals*					
Directors of boards	21	125	146	14.4	85.6
CEOs	9	23	32	28.1	71.9

Source: Business Magazine Top 100 Companies (2009)

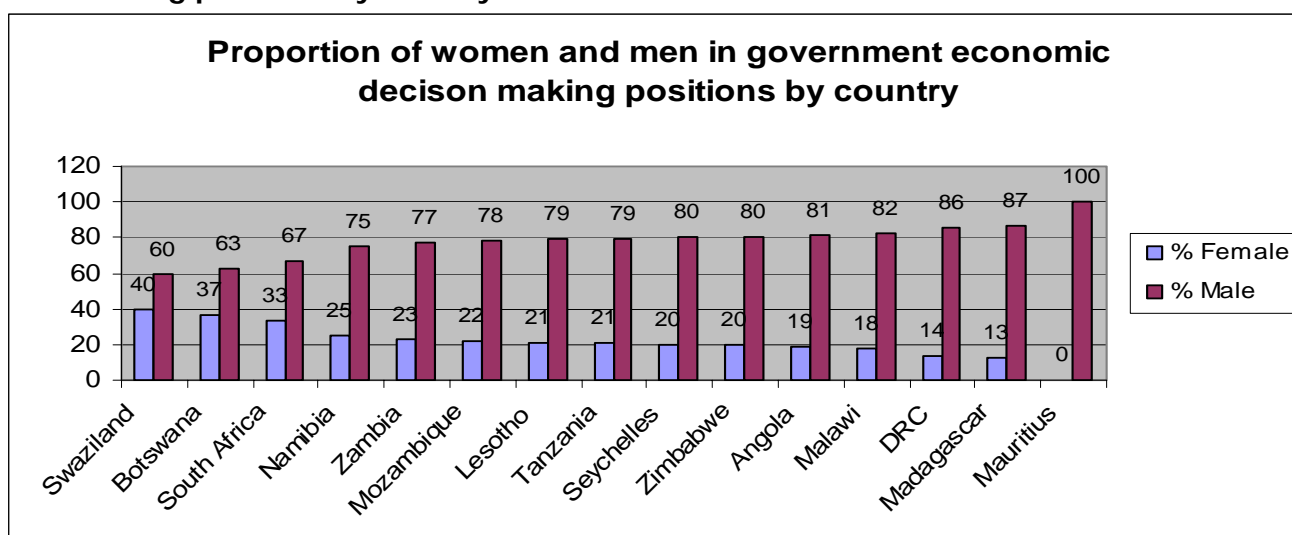
* there is no one stop shop for parastatal organisations in Mauritius and we have gone through the list of parastatal sectors and chose 25 organisations (see annex)

From Table 20 it is clear to recognize that all the important portfolios in Mauritius are headed by men. The same is true for the private sector and parastatal leadership as indicated in Table 21. However, it should be noted that women are in the majority as Permanent Secretaries.

With the passing of the Equal Opportunities Act, women must demand their rights. It is of utmost importance to do a study on glass ceiling within private and parastatal leadership. Once the Tribunal regarding Equal Opportunity has been set up, women should use it to demand their rights. Aisha Timol is the first woman to become the Director of the Mauritius Bankers' Association; more need to follow her lead.

When compared with the rest of the SADC region, Mauritius performs poorly with regard to women in economic decision-making positions – Mauritius ranks in last place. See graph below for details.

Graph 10: Proportion of women and men in government economic decision-making positions by country



Source: Gender Links Regional Barometer Report, 2009

Gender Budgeting

The Protocol provides that State Parties shall ensure gender responsive budgeting at the micro and macro levels including tracking; monitoring and evaluation.

The Ministry of Women's Rights, Child Development and Family Welfare and the Ministry of Finance and Economic Empowerment are collaborating in a pilot exercise to engender the Programme-Based Budget for 2010-2011; 11 programmes and 8 Ministries have been selected as follows:

Selected programmes for engendering

Ministries	Programmes	Title
Civil Service and Administrative Reforms	303	Human Resource Development and Capacity Building
Finance and Economic Empowerment	363	Socio Economic Empowerment and Widening the Circle of Opportunities
Education, Culture and Human Resources	422 & 423	Pre-primary and Primary Education
Youth and Sports	68202	Sports for All
Labour, IR and Employment	544	Employment Facilitation
Agro Industry, Food Production	484	Livestock Production and development
Social Security, NS, CW and RI	50202	Empowerment and Integration of Vulnerable Persons
Ministry of Women's Rights, CDFW	522, 523, 524	Women's Empowerment and Gender Mainstreaming; Child Protection, Welfare and Development & Family Welfare and Protection from Domestic Violence

The Budget Call Circular No 18 of 2008 requested ministries to provide clear information on Ministries/departments as follows:

- At the level of the Ministry/Department the non-financial PBB needs to set out the Mission, Strategic Plan and approach to Gender Budgeting.
- At the level of the Programme, what is set out is the programme title and outcome(s) for each sub-programme, the title, priority objective(s), delivery unit(s), output(s) and performance indicators and targets.
- It is to be noted that from this year the Delivery Units will have to be specified for increased accountability and better management (Ministry of Finance, 2009).

At the level of each Ministry's PBB, the approach to gender budgeting would be provided by its gender policy and its engendered strategic plan. The sector gender policies are meant to provide a basis to engender the ministry strategic plan and the different programmes and sub-programmes. The Ministries, and in particular, the respective

programme managers/delivery units have yet to develop capacity to link the policy, strategy and programme budgets.

At this stage, four of the ministries, MWRCDFW, Education and Human Resources, Youth and Sports, Labour, Industrial Relations and Employment have already developed their sector gender policy as part of the Gender Equality and Women's Empowerment Programme of MWRCDFW, supported by UNDP.

In view of the PBB calendar, and the complexity of the exercise, MWR and MOFEE considered it useful and practical to start at the programme level on a pilot basis as from the 2010-2011 submission.

Time use

The Protocol provides that by 2025, state parties shall conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women.

The Ministry of Women's Rights and the UNDP published an 'Analysis of the time use survey: the case of Mauritius' (the Central Statistics Office in 2005). The Major Findings of the Survey are as follows:

- Women continue to be concentrated in low-skilled and low paid jobs.
- Only paid employment and the exchange of commodities for money is registered as part of the GDP in national accounting systems. The contribution of women to the national economy is therefore underestimated.
- Policies aiming to raise the female labour force participation rate could contribute to reduce the gender gap.
- The average man earns Rs48.92 (\$1.7) per hour and the average woman (\$1.2) implying a gap pay of 36%.
- The relative gender pay gap is uneven across different occupations ranging from 13% for clerks through 25% for legislators, senior officials and managers, to 100% for plant and machine operators.
- The average man earns 13% less than the average woman in the public sector while the average man earns 50% more than the average women in the private sector. There is a need to address the gender pay gap in the private sector.
- Women are academically more qualified than men but still earn less in the labour market.
- The relative gender pay is 44% in rural regions while only 28% in urban regions.
- The average male worker spends 6.9 hours working while the average female worker spends 5.9 hours. This shows the Mauritian household as a dual earner model.
- Reproductive practices tend to impede more on women in their career than on men.
- The average woman spends 314 minutes per day on unpaid work, almost 4 times the average of 80 minutes for the average man.

- Non working mothers spend 484 minutes per day on household duties compared to 279 minutes for working mothers. Adding the 334 minutes spent at work per day, gives a total of 613 minutes for working mothers.
- Men contribute less to household tasks. Mothers spend 4 to 5 times more time than fathers on household work.
- Working mother spends 61 minutes compared to working father at 27 minutes on care work of household members.

Economic empowerment

The Protocol provides that state parties shall by 2015 adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors; review national trade and entrepreneurship policies, to make them gender responsive; introduce affirmative action measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.

Country indicators of wealth and income, 2002

Country	HDI rank	GDP per capita	Female income	Male income	Female as % male
Angola	161	2187	-	-	-
Botswana	126	7184	5418	9025	60%
Comoros	137	1588	1136	2038	56%
Lesotho	132	2031	1223	2853	43%
Madagascar	-	-	-	-	-
Malawi	163	943	506	726	70%
Mauritius	67	10017	5332	14736	36%
Mozambique	170	854	705	1007	70%
Namibia	122	6431	2019	5068	40%
South Africa	107	9401	5888	13024	45%
Swaziland	125	4492	2557	6479	39%
Seychelles	47	12508	-	-	-
Zambia	153	780	562	995	56%
Zimbabwe	128	2635	1946	3324	59%

Source: UNDP Human Development Report, 2002: 150-1; 222-225

Women's income is proportionately much lower than men's, even though their real workload tends to be greater.

Trade and entrepreneurship

Mauritius has implemented the Empowerment Programme in order to address the difficulties workers face with retrenchment in the context of the international financial crisis and structural changes at the national level. The garment sector is hit hardest, an industry which is highly intensive in female labour and involves manual work.

The 2006/2007 budget specifically makes reference to the plight of unemployed women and provides for, under the Empowerment Programme, the setting up of a Special

Programme for Unemployed Women (SPUW) to assist in their re-skilling and orientation either towards alternative jobs or towards entrepreneurship.

The SPUW is co-chaired by Mrs Aline Wong, a figurehead of successful entrepreneurship in Mauritius, and includes as membership, NGOs, including representatives of the Women Entrepreneurs Associations. Successful entrepreneurs are also encouraged to act as mentors. Another association of women entrepreneurs, *Entreprendre au Feminin Ocean Indien* is supporting a mentoring programme for women start-ups. Other institutions that are involved include the National Women Entrepreneurs' Council (NWECC), the National Women's Council and Federation of Women Cooperatives.

The National Women Entrepreneur Council (NWECC) has been set up by the NWECC Act of 1999 to promote the development of Women Entrepreneurship in the Republic of Mauritius. The objectives of the Council are to:

- Establish and maintain effective communication between the Council and co-ordination of activities of Women Entrepreneurs' Associations
- Identify actions and projects
- Evaluate and assess the needs of women entrepreneurs
- Establish training programs to improve skills and management aptitudes of women entrepreneurs.
- Promote co-operation and research with respect to women entrepreneurship development.
- Develop working links and affiliation with other bodies
- Study specific areas where development of women entrepreneurship needs to be strengthened.

The Small Entrepreneur and Handicraft Development Authority (SEHDA) has also been instrumental in developing policies and programmes for women in Small and Medium Enterprise.



Chicken rearing in Mauritius

Photo: Loga Virahsawmy

chickenrearing in Mauritius_LV_06

The Minister of Finance, in his budget speech of 2007/2008, said "Small and Medium Enterprise (SME) is the vehicle of long term employment. To create employment opportunities for women and youth who need the most, we will accelerate the momentum in the development of the SME sector. During the year we have implemented a full range of measures and policies to promote entrepreneurship and the SME sector. The impact has been very positive. The past twelve months some 21,000 persons have called at SEHDA for information, around 5,400 SMEs have registered and 826 have been set up creating some 2,000 jobs. The trend confirms our conviction that the SME sector can be an effective vehicle for longer term job creation, for broadening the circle of opportunities, for poverty reduction and for lifting the economic, financial and social status of the unemployed and the working poor." Ramgoolam confirms that women have benefited most from these improved measures.

Trade and entrepreneurship policies provide for support of women-owned businesses and ventures.

Encouragement is being provided for women to start their own businesses. Under the SPUW, a dedicated cell caters for project preparation in dialogue with women groups. The availability and other family constraints of women are considered when either developing their projects or trying to find them work. This has led to the development of a project on interim services where a person can take up work as per the slots when one is available during a week. Capacity building support is also tailor-made to each person, and where required, in the case of women with low educational achievement, basic literacy and life skills training is provided. Women are also encouraged to follow the formal business related training in order to enhance their entrepreneurship aptitudes.

The Development Bank (DBM) is also more flexible in its provision of developmental assistance for projects from women. A woman's specific situation (e.g. living separately from her husband or who is in the process of divorce) is no longer an obstacle for her to take loans and start a business.

While the NWEF gives the guidelines for enterprises run by women, there were difficulties for women to access funds. Women had to give personal guarantee to get funding and very often they could not find the two persons with a minimum monthly earning of Rs.8000 (\$285) to guarantee them. "All this has changed now," said Vijay Ramgoolam, Managing Director of SEHDA. "Women can get a loan of up to Rs.500,000 as long as they are registered with SEHDA. The Institution now goes to the people with our project '*caravane de l'entreprenariat*' (the entrepreneurship caravan) and trade fair. We are going all over Mauritius to encourage women to set up their businesses. We give them all the information needed, get them registered on the spot and help them to get their loan from the Development Bank of Mauritius. We also put a few stands so that people can sell their products; 80% of people coming to us are women."

Review of trade, entrepreneurial and economic policies to make them gender responsive

An initiative started in the beginning of the year by the Ministry of Women's Rights. The NWEF has set up new loan schemes of up to Rs.400,000 for women entrepreneurs who group themselves. NWEF has been provided with more funds. Special funds have been made available under the Job Savings Recovery Fund and the Food Security Fund to focus on women and equity participation schemes have been instituted. Ramgoolam confirmed, "amendments have been made so that women who were divorced or separated from their husbands before loan application can get their loans without the consent of their husbands. We only ask for a signed paper from an Attorney for a divorced woman and for a woman who is separated, the bank asks her to sign a paper to certify that she is separated. This has made things easy for women."

According to Ramgoolam there have been many inclusions and amendments. "It was difficult for women to get business permits as they had to go through several channels, i.e. the police, fire department, environment, health and in some cases there have been sexual harassment. Sometimes dates are also fixed by local authorities. All these problems have been made easy with the Business Facilitation Act of October 2006. It now takes three days to get a permit. Visits are conducted after permits have been obtained. This has been of great help to women. For women working at home doing cottage industries there is no need for a permit as long as neighbours are not disturbed and there is no traffic jam, but when selling food outside the home a permit from the Ministry of Health is needed."

Informal trade

There is no informal trade in Mauritius as all businesses have been encouraged to participate in the formal sector and get registered with SEHDA.

Procurement

The Public Procurement Act was passed in 2006 and Article 22 of the Act highlights 'Community and end-user participation – where the participation of the procurement end-user or beneficiary community may result in enhancing the economy, quality or sustainability of the service to be procured, or the very objective of the project is to create employment and involvement of the beneficiary community, such end-user or community may participate in the delivery of services in accordance with such procedure as may be prescribed.' This clause of the Procurement Act makes it easy for women to bid.

Property and resources

The SADC Protocol provides that by 2015 state parties shall review all policies and laws that determine access to, control of, and benefit from, productive resources by women.

In the budget of 2007/2008, the Minister of Finance allocated Rs.125,000 million for Tourist Villages and Rs.100,000 million for SME schemes. Ramgoolam said that women have obtained stands in tourist villages to sell their products and women are benefitting mostly from the SME schemes.

The Budget of 2008/2009 makes provision for the creation of new micro-credit schemes for 100% financing of projects implemented by women. Loans rise up to Rs.100,000 without any collateral to women entrepreneurs through the Manufacturing Adjustment and SME Development fund.

Measures taken in the budgets since 2005, by the NWEF and SEHDA, have put concrete measures in place so that women can access credit. In addition, SEHDA and other organizations give women a series of courses to support the production of goods of high quality.

Gender and land ownership

Table 22: Women ownership of different land types

Type of Land	% of women's ownership
Resettlement	
Farm land	
Communal	
Small holding	
Commercial land	

Source: Year

Fourteen women entrepreneurs were provided 6 acres of land to produce and process vegetables. These women have set up a Cooperative in Agro-Industry and have benefited from training, business-planning and pre-starter support by the NWEF in collaboration with AREU.

Food Production Initiatives coordinated by women

Policies exist that encourage women to undertake food production thereby contributing to improving food self sufficiency. The National Woman Council, under the aegis of the Ministry of Women, Family Welfare and Child Development, is responsible for implementing this initiative with the collaboration of the Ministry of Agro Industry, Food Production and Security. The facilities of the latter Ministry are made available to woman entrepreneurs for training and mentoring. The preference has been towards agro processing of horticultural produce and for production of vegetables under protected production systems.

In addition, another initiative under the Empowerment Programme, promotes women undertaking food production activities. The focus is on women workers who have lost their jobs. Through this initiative, they receive training and other facilities to start a small joint enterprise. So far, this category of workers has engaged in fruit production (strawberry), goat farming, duck farming and agro processing.



Eugenie Foods, Mauritius

Business Unusual Mauritius Eugénie Foods - By Danny (96)

Photo: Danny Philips

Government has formulated a five pronged strategy to enhance food production and improve the level of food security. A food security fund has been created and it is managed by the Food Security Fund Committee under the aegis of the Ministry of Agro Industry, Food Production and Security. Women's contribution to this initiative is recognised and is being supported in collaboration with the Ministry of Women, Family Welfare and Child Development.

A project has been submitted to the Food Security Fund by the National Women Council of the Ministry of Women and Family Welfare for the setting up of four model demonstration farms solely for women across the country. These farms will serve as training centres to enable startup agri business ventures ranging from planting materials to value added products (Food Security of Ministry of Agriculture and Industry).

Employment

The Protocol provides that by 2015, state parties shall review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy. It also provides for equal pay for equal work; eradication of occupational segregation; maternity and paternity benefits.

Table 23: Women and men in employment

	No of women	No of men	Total	% women	% men
Employed	178,000	341,000	519,000	34.3	65.7
Unemployed	25,800	14,600	40,400	63.9	36.1
Self employed					

Source: Year 2008 – Central Statistical Office (Labour Unit)

There are more women unemployed than men. Women have been laid-off primarily due to the closing down of several factories; a situation leading to the feminization of poverty. The Government has put in place a series of measures to mitigate the effects of the crisis. The Human Resource Development Council (HRDC) and the National Empowerment Foundation (NEF) have been established and one of their primary objectives is capacity building for employability. As a Unit of the NEF, the SPUW has been set up to promote access to technical skills, support for business development and access to productive resources (funding, equipment, etc.). However the staff at the NEF is limited to 4 to address approximately 12,000 retrenched women. The NEF is therefore involved in the sensitisation of employers to hire these women for training and as interns.

Table 24: Employment levels of women and men across key occupations

Sector	No of women	No of men	% women	% men
Agriculture, forestry and fishing	6636	31444	17.4	82.6
Mining and quarrying	64	76	45.7	54.3
Manufacturing	91540	92220	49.8	50.2
Electricity, gas, steam and air conditioning supply	187	2894	6.1	93.9
Water supply; sewerage waste management and remediation activities	236	1371	14.7	85.3
Construction	605	14022	4.1	95.9
Wholesale and retail trade; repair of motor vehicles and motorcycles	12854	26422	32.7	67.3
Transportation and storage	3556	15495	18.7	81.3
Accommodation and Food service activities	6285	18003	25.9	74.1
Information and communication	3209	5194	38.2	61.8
Financial and insurance activities	10252	11094	48	52
Real estate activities	7026	12073	36.8	63.2
Professional, scientific and technical activities	1509	2876	34.4	65.6
Administrative and support service activities	3765	7170	34.4	65.6
Public administration and defence; compulsory social security	9254	30513	23.3	76.7
Education	13252	11185	54.2	45.8
Human health and social work activities	6739	6605	50.5	49.5

Sector	No of women	No of men	% women	% men
Arts, entertainment and recreation	679	1745	28	72
Other service activities	-	-	-	-
Activities of households as employers; undifferentiated goods –and services – producing activities of households for own use	-	-	-	-
-Activities of extraterritorial organizations and bodies	-	-	-	-

Source: Central Statistical Office (Labour Unit) 2008; ILO website, <http://www.ilo.org/public/english/employment/strat/kilm>; accessed 27 May 2009.

As seen in Table 24, men predominate in all categories except in education and social work activities. Women are still assigned to stereotypical roles. The figures show that the work women do is an extension of the work that they do in the home. Consequently, since August 2008, the MWRCDFW has launched evening courses in the fields of Healthy Eating, Pastry and Desert and Floral Arrangements for working men and women. Both women and men are empowered to challenge stereotypes and at the same time earn additional income through enterprise development.

Table 25: Conditions of employment

Provision	Yes/No	Provisions
Maternity leave	Yes	<p>The Employment Rights Act (ERA) 2008 does not limit the number of confinements. A female worker who remains in continuous employment for a period of 12 consecutive months is entitled to 12 weeks maternity leave on full pay on production of medical certificate. A part-time female worker is eligible for an allowance computed according to a formula.</p> <p>The ERA has introduced the payment of a maternity allowance which applies to all confinements. A female worker who suffers a miscarriage which is duly certified by a medical practitioner shall be entitled to two weeks' leave on full pay immediately after the miscarriage. A female worker in continuous employment with the same employer for a period of 12 months who gives birth to a still-born child shall upon medical advice be entitled to a maximum of 12 weeks' leave.</p> <p>A female worker who is nursing is entitled every day at a time convenient to her at least two breaks of half-hour or one break of one hour for a period of six months from date of confinement. An employer shall not require a female worker to perform work in excess of a normal day's</p>

		<p>work or work during night shift two months before her confinement. Subject to medical recommendations a female worker who is pregnant shall not be required to perform duties detrimental her health and that of her baby.</p> <p>An employer shall not give a female worker who is on maternity leave notice of termination of employment unless the grounds relate to the economic, technological, structural or similar nature affecting the employer's activities.</p>
Paternity leave	Yes	A male worker shall be entitled to 5 continuous working days.
Sexual harassment	Yes	Sexual Harassment is provided for in Part IV of the Discrimination Act 2002.
Night work	Yes	<p>Night shift allowances are available for shift workers who perform night work.</p> <p>Subject to the exigencies of the service, employees not falling in areas of high turnover/scarcity, who have completed 25 years on shift work, may be accorded consideration with respect to posting for day work, if available. Shift workers who have spent 25 years or more as night workers should be accorded special consideration with respect to opportunities for voluntary early or phased retirement, subject to the exigencies of the service and provided they are aged 50 years or more.</p>
Same retirement age and benefits for women and men		First Schedule of the Employment Rights Act gives a schedule for retirement age which can be up to the age of 65 years. According to the Pay Research Bureau 2008 'Retirement Age,' a female officer recognising five years service may retire on ground of marriage irrespective of age.

Source: Year 2008 – Employment Rights Act and PRB

There is no gender discrimination in the workplace and, although there is a bias towards married women, they can retire after five years of service.

Skills development policies and programmes

The country has a skills development policy as well as skills development programmes given by several bodies; some of which include: The Industrial and Vocational Training Board; The Agricultural Research and Extension Unit; Ministry of Cooperative; and National Women and Entrepreneur Council.

The policies and programmes put in place apply to several sectors of the economy but at the Small Entrepreneur and Handicraft Development Authority (SEHDA) the programmes are mainly on demand. Following the 2006/2007 Budget Speech, the Government launched the empowerment Programme (EP). One of the components of the EP is a

special programme for unemployed women (SPUW) which aims at mobilizing unemployed women and those retrenched as a result of industrial restructuring, especially in the textile and sugar sectors. At SEHDA and MWEK the beneficiaries are 100% women. According to Vijay Ramgoolam, Managing Director of SEHDA, these programmes have helped for the economic empowerment of women. Nearly all the women who have received training are self employed and are putting their products on stands given free to them in strategic places in the country. At the moment there are five craft markets in strategic locations well visited by tourists.

A Project Management Unit (PMU) was set up to accompany groups of women to facilitate access to employment and to assist them in starting small businesses. To date, the Women Empowerment Programme (WEP) has trained more than 500 women, facilitated the creation of 18 small businesses and has placed 60 women in varied jobs.

In his budget speech on May 24 2009, Rama Sithanen, Minister of Finance explained the strategy the government of Mauritius in regard to the economic crisis: "We are not doling out money but investing responsibly to save the island's economy and protect the revenue of thousands of families who otherwise will have to face the challenges of unemployment." Through its National Empowerment Foundation, government provide, among a wide range of measures, training for retrenched textile workers in other business sectors, such as agriculture, fishing as well as information and communication technologies. In addition, as a gesture of solidarity with the unemployed and the poor, government announced it will reduce the salaries of the president and ministers.

Financial Institutions

The Development Bank of Mauritius has several schemes to meet financial needs of woman business owners and entrepreneurs. Loans are granted to individual, companies, societies, etc. In the case of individual loans, the loan deed must be signed jointly with the husband, if the woman is married. However, the Bank has recently implemented a scheme designed specifically for women entrepreneurs who are separated but not yet divorced from their husbands. A special agreement is made between the Bank and the Borrower (Mrs only) and there is no need for the intervention of the spouse. This scheme falls under the Booster Loan Scheme where a loan up to a maximum of Rs.100,000 is provided to entrepreneurs to set up or expand a small business.

Women Entrepreneurs may also form companies to avail of financial assistance from the DBM Ltd. In addition to the normal loan scheme, the Bank has a special scheme namely "Quasi – Equity Loan Scheme" to provide financial assistance to companies. Under this scheme, women entrepreneurs need to incorporate a company to avail of financial assistance. Financial assistance up to Rs.500,000 may be granted under this scheme – as direct investment in the shares of the company and/or loans to shareholders to acquire shares. The DBM is a pioneer in development financing and as such has been providing financial assistance to all entrepreneurs including women since the 60s. Over the last ten years, the DBM has been working in close collaboration with other support institutions such as the NWEK, the MWRCDFW, SEHDA, Trust Funds and other stakeholders to facilitate access to finance (Source – Development Bank of Mauritius 2009).

GENDER BASED VIOLENCE *Article 20-25*

Extent of Gender Based Violence

The Protocol aim to reduce current levels of gender based violence by half by 2015.

Table 26: Gender violence statistics

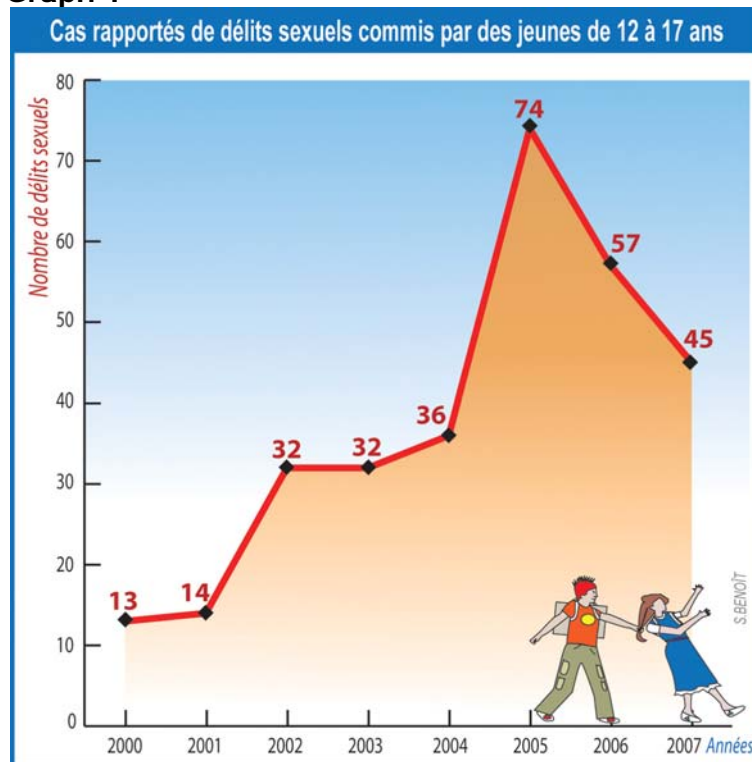
No of reported rape cases in last year	67
No of rape cases that get withdrawn	10
No of cases still under enquiry	44
% rape cases withdrawn	14.9%
Number of convictions	13
% conviction rate	

Source: 2008 to May 2009 – Central CID, Crime Records

L'Express dated 11th June 2009 reported sexual violence figures for 2007 as follows:

Reported cases of Sexual Violence	2005	2006	2007
Rape	38	64	77
Sexual Relation with minor	124	156	145
Sodomy	38	53	50
Attempt at chastity	314	420	384

Graph 1



Graph 2



Graph 1 and 2 with kind permission of L'Express

The graphs above show that in 2005 the number of reported cases of rape was 74 and in 2007 there was a decrease with only 45 cases; with another increase from 2008 to May 2009 with 67 reported cases. Domestic Violence is also on the increase. According to the Family Support Bureau and Protections Orders of the Ministry of Women's Rights there were 2246 official cases reported in 2008 compared to 1036 in 2005 and from January to May 2009 there were 979 cases (Le Matinal 27 June 2009).

Response and support

The SADC Protocol provides that by 2015 state parties shall: Enact and enforce legislation prohibiting all forms of gender-based violence; Ensure that laws on gender based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault; Review and reform their criminal laws and procedures applicable to cases of sexual offences and gender based violence; Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society; Enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual

harassment in all spheres, and provide deterrent sanctions for perpetrators of sexual harassment.

Table 27: GBV response and support

Provisions	What is in place	What needs to be put in place
Laws/ policies		
<ul style="list-style-type: none"> Legislation prohibiting all forms of GBV. 	<p>The Protection from Domestic Violence Act (DVA) of 1997 was amended in 2004 and the last amendment was made in 2007. A National Action Plan to Combat Domestic Violence with five strategic objectives: improving legislation on DV and strengthening the justice system and other agencies; providing appropriate, accessible, timely, coordinated multi-agency responses and support to all victims and children; sensitizing and changing attitudes to prevent domestic violence from happening in the first place; promoting responsible advocacy, sensitization and provision of forum by media specialists to encourage the community to discuss domestic violence; undertaking research and studies on domestic violence. All Municipal and District Councils have a Gender Action Plan.</p>	<p>More places of safety for survivors.</p> <p>In-depth research on measurement of GBV. The findings will help government and civil society to design and implement concrete action.</p> <p>Harmonised data collection on GBV.</p> <p>Gender Action Plans of localities to be implemented.</p>
<ul style="list-style-type: none"> Ensuring that all perpetrators of GBV are brought to book. 	<p>Harsher penalties for failing to comply with orders are provided for in the PDV (Amendment) Act 2007. On a first conviction a fine not exceeding Rs.25,000 and a term of imprisonment not exceeding two years is applicable, and on a second subsequent conviction a fine not exceeding Rs.50,000 and a term of imprisonment not exceeding two years is applicable.</p> <p>Men as partners programmes developed, a gender sensitive project aimed at promoting responsibility and participation of men in the family.</p>	<p>Awareness and sensitization campaigns focusing more on men and boys.</p>

Provisions	What is in place	What needs to be put in place
<ul style="list-style-type: none"> Comprehensive testing, treatment and care of survivors of sexual offences - emergency contraception. 	This is done as soon as the case is reported to the police.	Awareness campaign on the relationship of HIV and AIDS and GBV.
<ul style="list-style-type: none"> Access to Post-Exposure Prophylaxis for survivors of GBV. 	PEP is available to survivors of GBV.	Awareness campaigns on PEP.
<ul style="list-style-type: none"> Prevention of sexually transmitted infections. 	The Caravan of Health goes all over Mauritius daily to encourage the population to test, they are then offered treatment.	Media campaign on the schedules of the Caravan of Health.
<ul style="list-style-type: none"> Social and psychological rehabilitation of perpetrators of gender based violence? 	<p>In line with Government Programme 2005-2010, further amendments were brought to the PDVA in 2007 which include provisions for counseling instead of sentence which the Court would take into consideration; factors such as the circumstances, including the nature of the offence and the character, antecedents, mental and psychological condition, age, health and home surroundings of the perpetrator. Failure to attend counseling lead to imposition of the original sentence.</p> <p>The Lotus Centre at the Prison and two NGOs, Kinouete and Elan, conduct training and awareness campaigns for the social rehabilitation of former prisoners including perpetrators of GBV. They get empowerment and capacity building workshops so that they can start their own business or get a job.</p>	A residential centre for the social and psychological rehabilitation of perpetrators.
<ul style="list-style-type: none"> Review of criminal laws and procedures on sexual offences and GBV to eliminate gender bias and ensure that justice and fairness are accorded to the survivors. 	In line with Government Programme 2005-2010, laws have been reviewed to include harsher penalties.	Awareness of the laws.

Provisions	What is in place	What needs to be put in place
Human trafficking		
<ul style="list-style-type: none"> Specific legislation to prevent human trafficking. 	<p>The Combatting of Trafficking in Persons Act was passed on 21 April 2009. The law passed by Parliament prescribes punishment of up to 15 years imprisonment for convicted offenders, penalties which are sufficiently stringent and commensurate with those prescribed for other grave crimes.</p> <p>The Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of 15 years. In November 2008 the government passed the Judicial Provisions Act which provided for increased penalties for various offenses; the act prescribes punishment of child trafficking offenses of up to 30 years imprisonment.</p>	<p>Awareness of the Act</p> <p>Baseline study on human trafficking. Rehabilitation of girls, boys and women who have been trafficked to do sex work, or to work as domestic workers overseas.</p>
<ul style="list-style-type: none"> Mechanisms to eradicate national, regional and international networks. 	<p>Article 13 of the Act reads '(1)Any person who believes that a person is a victim of trafficking shall forthwith report the matter to the police (2) the identity of the person who makes a report under subsection (1) shall not be disclosed, unless a Judge in Chambers otherwise orders this'.</p>	<p>Government, the police and civil society must work together to put in place mechanisms to eradicate trafficking.</p>
<ul style="list-style-type: none"> Harmonised data collection on trafficking. 	<p>The government reported eight child sex trafficking convictions during 2008: three under a brothel-keeping statute and five under a debauching youth statute.</p> <p>Sentences for these convicted offenders ranged between three months and three years imprisonment with fines up to an equivalent \$1,764.</p> <p>Campaigns reached over 12035 persons in 2008, including 145 parents, 300 primary school</p>	<p>Harmonised collection of data. Baseline study on trafficking.</p>

Provisions	What is in place	What needs to be put in place
	teachers and 35 youth leaders.	
<ul style="list-style-type: none"> Capacity building, awareness raising and sensitization campaigns on trafficking 	<p>The government demonstrated increased anti-trafficking law enforcement efforts vigorously throughout 2008. The Combatting of trafficking in Persons Bill was drafted after consultation by the Attorney General with relevant ministries and government agencies, including the Prime Minister's Office, Ministry of Women's Rights and the Mauritius Police Force.</p> <p>The government made notable efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts. In 2008 the Ministry of Tourism, Leisure and External Communications published and distributed to hotels and tour operators, 3000 pamphlets regarding the responsibility of the tourism sector to combat child sex trafficking.</p> <p>Law enforcement and child welfare officials conducted surveillance at bus stops, night clubs, gaming houses and other places frequented by children to identify and interact with students who were at a high risk of sex trafficking. The Police Family Protection Unit and the Minor's Brigade, in conjunction with MOWCDFP Child Development Unit conducted a widespread child abuse awareness campaign at schools and community centres that included a session on the dangers and consequences of engaging in prostitution.</p>	Aggressive campaigns on trafficking and the Law that is in place.
Sexual harassment		
<ul style="list-style-type: none"> Adopt laws, policies, programmes that define and prohibit sexual harassment 	The Sex Discrimination Act contains provisions which define and prohibit any form of sexual harassment. An anti-harassment policy has been	All localities of Mauritius to implement their Gender Policies. Awareness on the different forms of sexual

Provisions	What is in place	What needs to be put in place
	devised by Government, the Sex Discrimination Unit of the National Human Rights Commission compiled Guidelines to ensure the prevention of Sexual Harassment of men/women in the workplace/institutions.	harassment.
<ul style="list-style-type: none"> Gender balance in bodies adjudicating sexual harassment cases. 	<p>The Sex Discrimination Division is headed by a woman who deals with cases of sexual harassment in her office and sensitization campaigns all over Mauritius.</p> <p>Some media houses have a section on sexual harassment in their HIV AIDS and Gender Policies that Gender Links helped them develop.</p>	Policies on sexual harassment in all workplaces and schools.
Support services		
<ul style="list-style-type: none"> Cases on GBV to be heard in a gender sensitive environment. 	The NAP on domestic violence makes provision for the improvement of legislation and the strengthening of the justice system so that cases of GBV are heard in a sensitive environment.	All members of the judiciary to get training regarding the various forms of GBV.
<ul style="list-style-type: none"> Special counseling services. 	The 2004 amendments from the PDVA were amended to extend protection to other members of the family living under the same roof with provision for counseling.	More counselors at the MWRCDWF.
<ul style="list-style-type: none"> Dedicated and sensitive services provided by police units; health; social welfare. 	<p>The six regional offices known as the Family Support Bureau provides psychological counseling and legal advice services to adults and children of GBV.</p> <p>In view of changing patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and society, the MWRCDWF has been implementing (since 2003), the Men as Partners Project, which is a gender sensitive project aimed at promoting responsibility and participation of men in the family. Zero Tolerance Clubs have been set</p>	<p>To set up more Zero Tolerance Clubs.</p> <p>The MWRCDFEW to work in a sustained manner with NGOs.</p>

Provisions	What is in place	What needs to be put in place
	up with various Community Based Organizations with a view to involve the community to combat GBV. Members of these clubs act as watchdogs to ensure that their respective localities are violence free. Five Zero Tolerance Clubs are operations in Mauritius. A project on Anger Management has been initiated as well.	
<ul style="list-style-type: none"> • Accessible information on services available to survivors of gender based violence. 	<p>The MWRCDFW launched an Anti-Violence Campaign in December 2007 with a view to create awareness among the public. Sensitisation is also being conducted in collaboration with NGOs, CBOs and Religious bodies. As at December 2008, 85 talks/workshops have been organized and more than 5000 people sensitized on the issue.</p> <p>A Hotline (139) is available for cases of GBV. Hotline 119 provides Family Counselling Service. The Police Family Protection Units also provide hotlines in all parts of Mauritius.</p>	<p>Making sure the hotline works on a 24 hour basis with proper online counseling services and advising survivors on where to go for help.</p> <p>Aggressive campaigns in the media, post offices, bus stops, buses and all public places on GBV and hotlines. All materials to be developed in Creole.</p>
<ul style="list-style-type: none"> • Accessible, affordable and specialized legal services including legal aid to survivors of gender based violence. 	<p>The MWRCDFW provides free legal services as and when required at Court. The Ministry further refers survivors to the Ministry of Social Security for social aid in cases where the survivor has been abandoned and is faced with financial difficulties.</p>	<p>Awareness on the Legal and Financial services available to survivors.</p>
<ul style="list-style-type: none"> • Specialised facilities, including support mechanisms, for survivors of GBV. 	<p>The MWRCDFW and the police have signed an important Protocol of Assistance to survivors. The survivor is taken to hospital instead of recording a full statement with only the gist of the offence. Statements from female survivors are to be taken by women police officers. Survivors are provided with psychological assistance and receive appropriate treatment for HIV and AIDS.</p>	<p>A one-stop shop needs to be established so that members of the public know what is in place.</p>

Provisions	What is in place	What needs to be put in place
<ul style="list-style-type: none"> Rehabilitation and reintegration facilities for survivors of GBV. 	The Ministry provides temporary protection to survivors over a period of 15 days pending arrangements for a place of abode while other NGOs offer shelter facilities.	Campaigns must be conducted by the MOWRCDFW so that survivors know about these support services.
Training of service providers		
<ul style="list-style-type: none"> Gender sensitisation training for all service providers engaged in the administration of justice, such as judicial officers, prosecutors, police, prison, welfare and health officials? 	The MOWRCDFW have conducted training programmes with officers of the Judiciary and members of the Council of Religions among others. The Ministry also conducts programmes for local governments and other Ministries. The Ministry has set up a Family Counselling Support Services Unit at the Central Prison.	A monitoring and evaluation system needs to be facilitated to know if these programmes are working effectively.
<ul style="list-style-type: none"> Community sensitization programmes for survivors of gender based violence. 	A National Domestic Violence Committee has been set up by the MOWRCDFW to promote and adopt a coordinated approach, and ensure the protection of victims in collaboration and consultation with all parties concerned with addressing the problems of domestic violence.	The NAP to be known by the general public.
<ul style="list-style-type: none"> Formal training programmes for service providers. 	The Ministry gives formal training to service providers. The Ministry provides outreach activities and service delivery to women, children and families as separate social groups and categories. It has dedicated units and programmes for each of these categories. At the same time, within the same localities or districts, there are other ministries, NGOs, district councils and municipalities providing outreach activities and services delivery in various sectors.	Impact assessment of these trainings.

Source: Trafficking in Persons Report (2009); papers from the MOWRCDFW on Measures to Combat Domestic Violence; The National Gender Policy Framework, 2008

Prevention

The Protocol provides for measures, including legislation to discourage traditional and cultural practices that exacerbate GBV and to mount public campaigns against these

Protection is afforded through the Domestic Violence Act and the Nation Action Plan to combat Domestic Violence launched in 2007 that are being implemented by the MWRCWFD. Furthermore all localities of Mauritius have a Gender Action Plan with a strong focus on GBV that Gender Links helped them to develop. The National Gender Policy Framework of the Ministry of Women's highlights "manifestos and programmes need to include explicit reference to their position regarding gender equality and women's empowerment, across all thematic and sectoral areas."

According to the Attorney General "training of police personnel is very important as police officers sometimes do not have a good grasp of gender violence. We are now considering getting female police officers to be in charge of certain police stations. This will help more women to come forward and talk. Women who report cases will feel more at ease." The former President of the Republic of Mauritius opened a workshop facilitated by Gender Links named 'How to Report on GBV' and reiterated that women should not be treated as mere sexual objects. Presidents, as well as politicians of the country, are generally well aware of the epidemic dimension of GBV and they make it a point to talk about the issue; very often they are invited by NGOs to open workshops and to talk on the issue.

Gender violence features in forums

Gender violence and human tragedies did not have in-depth coverage in the media until the weekly "5" Plus came on the market 10 years ago. The news regarding these issues had to be horrific to be recognized as newsworthy for the media. When "5" Plus was introduced, it popularized the issue with other media (both broadcast and print media); consequently the media focuses a great deal on gender violence and human tragedies at present.

The first training on coverage of gender based violence was done by Gender Links. Media practitioners had the occasion to meet survivors of GBV as well as their children. Journalists do get general training but rather regarding technical details than gender issues or gender violence. The NGPF highlights "media organizations can play a more proactive role as key components in changing attitudes and mindsets; in delivering key messages and creating a negotiation and dialogue over the transformation of gender relations and questioning stereotypes; and in acting as watch dogs to ensure accountability for women's human rights."

Ongoing campaigns by the Ministry among the public include: Men as Partners, Zero Tolerance Clubs, Pre-marital Counselling, Anger Management. Training programmes have been conducted with officers of the judiciary and members of the Council of Religions among others. In April 2009 the Ministry started a capacity building programme with local authorities, Citizen's Advice Bureaux and a few other Ministries to train them on GBV. There are now 50 trained officers on GBV. The Police Family Protection Units conduct regular GBV sensitization and public awareness programmes for schools. In addition, SOS Femme, an NGO which has rehabilitation centres for survivors of GBV, performs regular awareness and sensitization campaigns on GBV. Gender Links also carried out workshops in all localities of Mauritius and in villages to discuss GBV. Localities now have their own Gender Action Plan.

Impact of the 16 Days of Activism against Women and Child Abuse

The 16 Days campaign is quite well known in Mauritius; the MWCDWF also has a national event this campaign. NGOs like SOS Femme and Media Watch Organisation-GEMSA have been instrumental in developing programmes during the 16 Days campaign. In addition, the Ministry collaborates and supports NGOs with their activities during the 16 Days campaigns.

The Sixteen Day campaign been elevated to a 365 Day campaign

Gender Links, with the collaboration of the MOWRCDFW, facilitated a three day workshops on strategic communications to end GBV and to elevate the 16 Days to 365 Days. A calendar of activities has been drafted for 365 days, however, the 16 days has yet to be elevated to 365 day.

Exchange of national, regional and international best practices for the eradication of violence against women and children

The National Action Plan to Combat Domestic Violence was launched in 2007. This plan was developed during a three day workshop with Ministries and stakeholders facilitated by MWO-GEMSA and Gender Links. As a commitment to combat GBV, the Ministry harmonized the plan and got the support of the cabinet. The plan strengthens the vital community engaged in shelters, counseling agencies, women's centres, NGOs, the police and the family support bureau.

Gender focal points in Ministries contribute to detect and support issues of GBV. Emphasis is placed on better training for a broader range of professionals – such as workers in hospital emergency departments, teachers, police as well as religious leaders to sensitize members of their congregations, neighbors, friends and families so that they can recognize the early signs of abuse.

During the 16 Days campaign in 2005, the MOWRCDFW funded a project of MWO-GEMSA for a dance drama powerfully depicting the different forms of GBV and HIV/AIDS. In 2006 the UNDP funded a book that was produced by MWO-GEMSA that helped survivors to openly express their views on GBV. Since 2006 Gender Links has published "I Stories" both in Mauritius and in the region. The book has empowered hundreds of women and has helped them to lead healthier lives. In 2008, the Prime Minister of Mauritius, Dr. Navin Ramgoolam launched a book published by Gender Links entitled 'Speaking on HIV and AID' in which HIV positive women, men and couples told their stories. This book has not only helped HIV positive Mauritians to discuss their experience and the stigmatization faced in a conservative society; but the book is being used by Ministries, localities, NGOs and other stakeholders as an awareness campaign on HIV and AIDS.

Integrated approaches

The SADC Protocol on Gender and Development calls on states to adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender based violence by 2015.

National Action Plan to End Gender Violence

X Yes

National Action Plan been adopted?

X Yes

In 2006 Gender Links and MWO-GEMSA facilitated a three day workshop for Ministries, NGOs, religious leaders and stakeholders. An Action Plan on GBV was developed at the workshop. The UNDP convened a Gender Thematic Group after the workshop to discuss ways to combat GBV. The Action Plan was then submitted to a consultant of the UNDP and the MOWRCDFW who collaborated and submitted the Draft National Action Plan on GBV to the Ministry; this was then sent to cabinet for approval. The NAP was launched and adopted during the 16 Days campaign in 2007.

Further support to ensure implementation of the National Action Plan

The MOWRCDFW set up a National Domestic Violence Committee (NDVC) with the view to promote and adopt a coordinated approach to ensure the protection of victims in collaboration with all parties concerned in addressing the problems of GBV. The primary objectives of the NDVC are to:

- Reduce and prevent the incidence of domestic violence
- Provide accessible, reliable and coordinated guidance on cases of domestic violence and ensure that survivors receive appropriate treatment and care
- Promote the welfare of the family
- Create an environment free from violence

While the Ministry is financing the implementation of the action plan, NGOs like Gender Links have looked for their own finance to help localities to develop their own Gender Action Plan. There has been good collaboration with the MOWRCDFW on all projects. Furthermore in October 2008, the Ministry made a call for projects to combat GBV. Projects have been submitted by stakeholders but are awaiting Ministry's reply.

According to a progress report on the NAP completed in November 2008, nine of the eighteen recommended actions are in the process of implementation. Gender Links is working with partners in Mauritius on a project to develop a standard tool to measure GBV and to establish baseline data. The project will provide a standard set of indicators to measure gender based violence; provide baseline data on GBV in Mauritius; provide tools for ongoing monitoring and evaluation mechanism for GBV; and continue to raise awareness on GBV.

Anti –trafficking measures

The country has a Combating of Trafficking in Persons Act.

Budgetary allocations

The Programme Based Budget (PBB) of 2008/2009 makes provision for "Family Welfare and Protection from Domestic Violence" with the outcome for the achievement of "social cohesion and harmony through improvement in family environment and values."

It appears no studies have been compiled but the objectives of the PBB are to ensure that survivors are provided with effective protection and support, such that trauma is minimized and rehabilitation promoted, as well as the promotion of family welfare. The outputs are (1) counselling provided to survivors, (2) men and women are sensitized on their rights and responsibilities and various services available in the event of violence. The Performance Indicators are (1) all survivors are provided with counseling and support, (2) the NAP is finalized, (3) 4000 men and women sensitized, (4) independent evaluation of sensitization campaigns, and (4) 50% of short term actions of NAP implemented (PBB Statement).



HEALTH, HIV AND AIDS Article 26-27

The Protocol provides for state parties to by 2015, adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care; reduce the maternal mortality ratio by 75% and ensure the provision of hygiene and sanitary facilities.

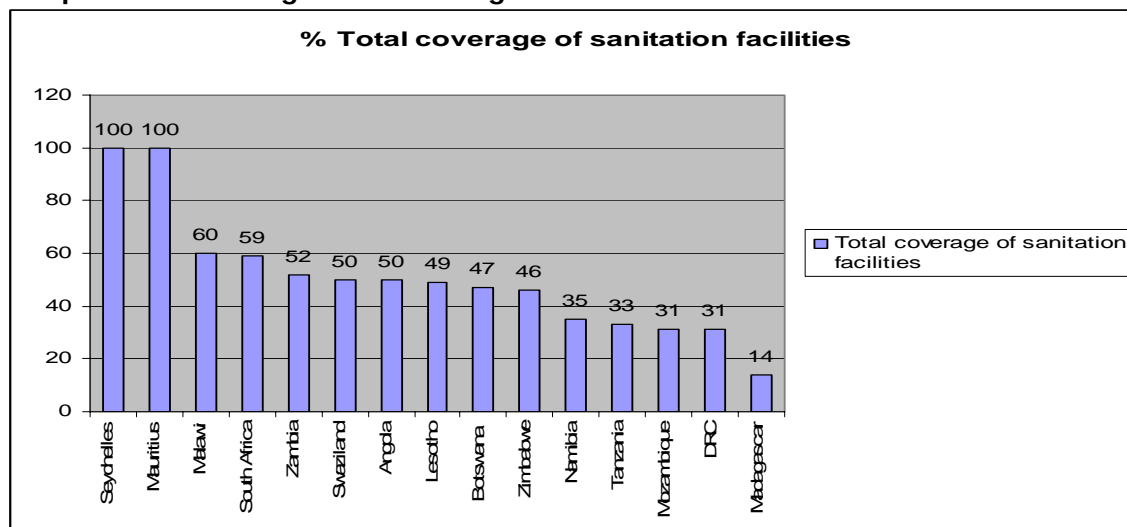
Table 28: Key sexual, reproductive and health indicators

Indicator	Country statistic/policy	Comment
Current maternal mortality rate (Lifetime Chance of Death from Maternal Causes)	Maternal Mortality Rate in 2007 was 0.37 per thousand live births.	Maternal mortality rate is relatively low in Mauritius.
% Births attended by Skilled Personnel	100% children are attended by skilled personnel	
% Contraceptive use among sexually active women 20-24	25.9%	
% Contraceptive use among married women	42.3%	
No of deaths annually as a result of illegal abortions (official cases admitted in hospital after complications of abortion)	1,635	
Country policy on abortion	Abortion is illegal but is allowed to preserve the life of the woman.	
Total Coverage of sanitation facilities	The whole island is covered by sanitation – sewerage and refuse collection.	Refuse collection done on a regular basis by local authorities, all households are connected to waste water system. Access to drinkable water available all over Mauritius.
Urban coverage	As above	
Rural Coverage	As above	

Source: Ministry of Health Year Book (2007)

As indicated in the graph below, Mauritius is progressive in terms of sanitation levels compared to other countries in the SADC region.

Graph 11: Percentage total coverage of sanitation facilities



Source: Gender Links Regional Barometer Report, 2009

Family Planning /Contraceptive Usage

Different contraceptive methods are available in Mauritius: pills, IUD, injectable, sympto-thermal, tubectomy (tubal ligation), condoms and vasectomy. According to the 2007 Demographic year book of 2008 the current users of Family Planning amounts to 87,441 as follows:

Contraception	Percentage
Pill	16.8
Intra Uterine Device (IUD)	5.4
Barrier Method (condoms)	21.2
Tubal ligation (tubectomy and vasectomy)	19.4
Sympto-thermal	31.8
Injectable	4.5
Norplant and implant (no longer available)	0.9

Moreover some women and men are still using traditional methods of withdrawal.

NATIONAL SEXUAL & REPRODUCTIVE HEALTH POLICY

A 'National Sexual and Reproductive Health Policy' was developed in 2007 by the Ministry of Health & Quality of Life in collaboration with all relevant stakeholders with a view to revitalize the SRH programme, to assist in improving reproductive health indicators (which are considered to be alarming); for example, high rates of unwanted pregnancies, abortion, increase in the use of less reliable family planning methods, and increasing STIs and HIV prevalence. The policy focuses on the provision of effective guidance and sound quality delivery of SRH services so that more effort can be made to ensure the continued success of the country to improve the health and social status of the Mauritian population.

The objectives of the Action Plan were to develop standards and guidelines for sexual and reproductive health services and the integration of STI/HIV/AIDS in SRH services at all levels of health service delivery. There was growing evidence that whilst SRH information and services were accessible and freely available, young people do not make optimum use of the services. It was felt that there was need to meet emerging challenges as SRH was recognized as playing a crucial role in the social and economic development of the country.

Family Planning is one of the components of the SRH Strategy and the goal is to improve the availability, accessibility and acceptability of high quality family planning information and services for all the youth, women and men who need them. To this effect, it is fair to claim that the policy is gender aware.

MALE INVOLVEMENT IN FAMILY PLANNING

The Association has one Family Health Clinic at Desforges Street in Port Louis which has established itself as a provider of specialised SRH services and will continue to innovate and meet special SRH needs of men and women in the community. The Family Health Clinic is adequately equipped to conduct specialised SRH sessions for both men and women. It runs a series of clinics like the Family Planning Clinic, Well Man Clinic, Infertility Clinic, Breast Clinic, Youth Clinic, Menopause Clinic, Gynaecological Clinic, Antenatal & Postnatal Care Clinic, Psycho-Sexual Clinic and a Mother/Baby Clinic. Men represent about 36% of the clientele. Specific services for men include, amongst others:

- sale of condoms (male/female) over the counter
- counselling sessions for men with sexual dysfunction
- weekly medical sessions for men with problems related to sexual dysfunction and prostate cancer
- provision of Viagra and Silagra to men in need
- echography services
- treatment of impotency and sexual dysfunction
- treatment of urinary tract infections
- management and treatment of STIs
- HIV counselling and testing services and other laboratory services/tests

Through its 'Contraceptive Social Marketing' programme, MFPWA is providing contraceptive services at highly subsidized prices in 118 retail outlets, including 63 pharmacies and 10 industries/hotels. Through its network of retailers and sales agents, MFPWA is able to reach both men and women in the community and at work sites, especially in industries of the Export Processing Zone, the hotel sector and male-dominant sectors like the SMF, construction and transport sector.

The 'Men as Partners Initiative' is a project launched by the Ministry of Women's Rights, Child Development and Family Welfare and implemented by MFPWA. It is a gender sensitive project that aims at promoting men's responsibility and participation within the family and the community so as to enable the effective empowerment of women and the enhancement of quality of life of the family. This project is comprised of 5 different components: training, medical services, IEC/BCC (Information/Education & Communication and Behaviour Change Communication), counselling and Entertain-to-Educate approach. All these services are supported by print materials, information and counselling to walk-in clients and through the telephone hotline. MFPWA also serves as a referral centre to other support institutions.

The Mauritius Family Planning and Welfare Association is the first institution to introduce the female condom in Mauritius (since 2003). The female condom is typically used by casual sex partners or commercial sex workers. UNFPA donated female condoms to the Government of Mauritius in 2007, and to date, the Ministry of Health and the MFPWA have distributed 40,000 female condoms around the island.

Awareness and sensitization campaigns have been continuously held by MFPWA in the community and through radio programmes. However, the acceptance rate of the female condom is still low and strategies need to be developed to better market the product as a method of contraception (Mauritius Family Planning and Welfare Association).

Box three: Termination of Pregnancy

While this issue is not provided for in the Protocol, such debates are often revealing. Abortion is illegal in Mauritius under the Penal Code. Any person procuring an abortion or supplying the means to procure an abortion is subject to imprisonment for up to 10 years. A similar punishment is prescribed for a woman who induces her own abortion or consents to its being induced. Physicians, surgeons and pharmacists who facilitate or perform an abortion are also subject to imprisonment.

Abortion is allowed to preserve the life of the woman whereas it is not allowed to preserve physical and mental health, rape and incest, foetal impairment, economic and social reasons.

Although abortion is illegal the practice is quite common. The poor go to back street abortionists while the rich go to private clinics and sometimes to the neighbouring Reunion Island. There is a great debate regarding abortion in Mauritius at the moment and a movement has been formed called '*Fron Komin pou avortmar!*' (Common Front for Abortion). Members of the group have been vocal and are organizing workshops and seminars with wide media coverage.

The Minister of Women's Rights chaired a meeting on 29th April 2009 to brainstorm with NGOs and different stakeholders on the issue. Participants were invited to send their views in writing to the Ministry of Women's Rights so that a decision could be taken. In June 2009, Taylor Nelson Sofres did a survey on what people think on legalisation of abortion and from a sample of 600 people, 35% were for and 58% against. The Director of Sofres did not find the results surprising as "we tend to see whenever we do any kind of survey how conservative Mauritians are." It is difficult to obtain reliable data on abortion or death related to abortion as cases are unreported.

According to the Attorney General "it is high time for legislation. It concerns both health and choice. The woman has a right to choose and take the decision. We are working on a law and once all the debates are over and views obtained, the Law will be sent to cabinet then to the Legislative Assembly."

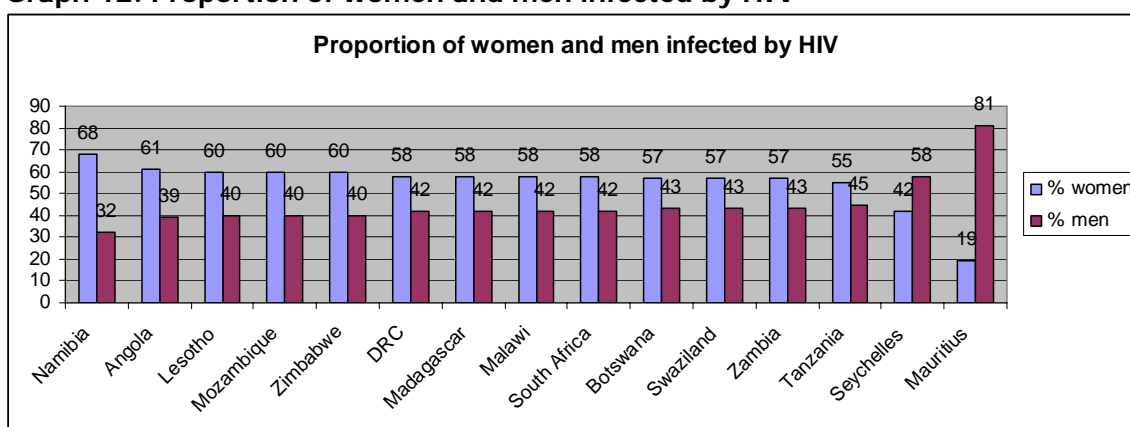
The debates have revealed great gender awareness on the subject and the lobby is continuing its work.

Table 29: Key gender, HIV and AIDS indicators

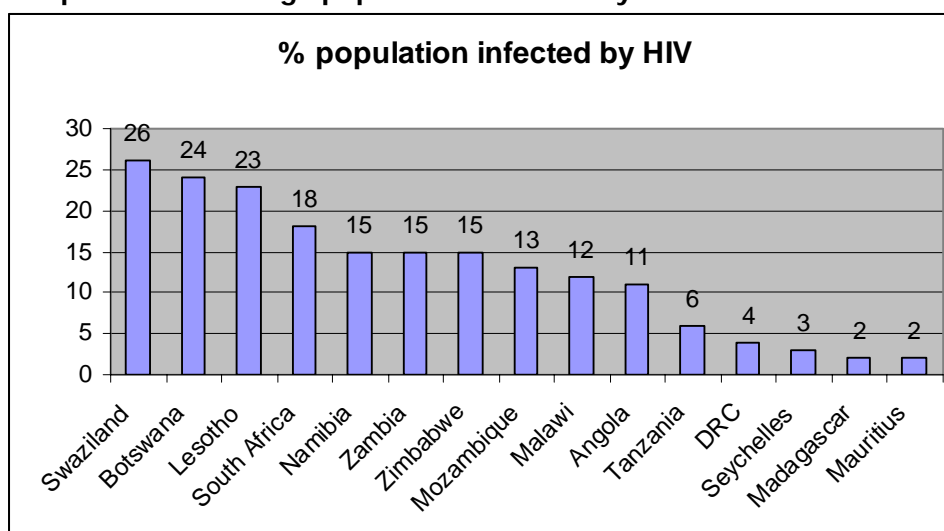
	% women	% men
Extent of comprehensive knowledge on HIV and AIDS	68.3	65.7
HIV infection	18.5	81.5
Voluntary Counselling and Testing	34.6	65.4
On ARV treatment	16.8	83.2
HIV positive pregnant women receiving PMTC	95	

Source: Year December 2008 – National Aids Secretariat

The HIV epidemic is driven by intravenous drug use in Mauritius; consequently more men are infected and men seek HIV testing more often than women. As indicated in the graph below, in comparison with the SADC region in general, Mauritius has the lowest rates of female infection (and the lowest rates of HIV infection in the region); however, it also has the highest levels of male infections in the region (this is possibly attributable to the transmission of HIV through intravenous drug use). See graphs below for details.

Graph 12: Proportion of women and men infected by HIV


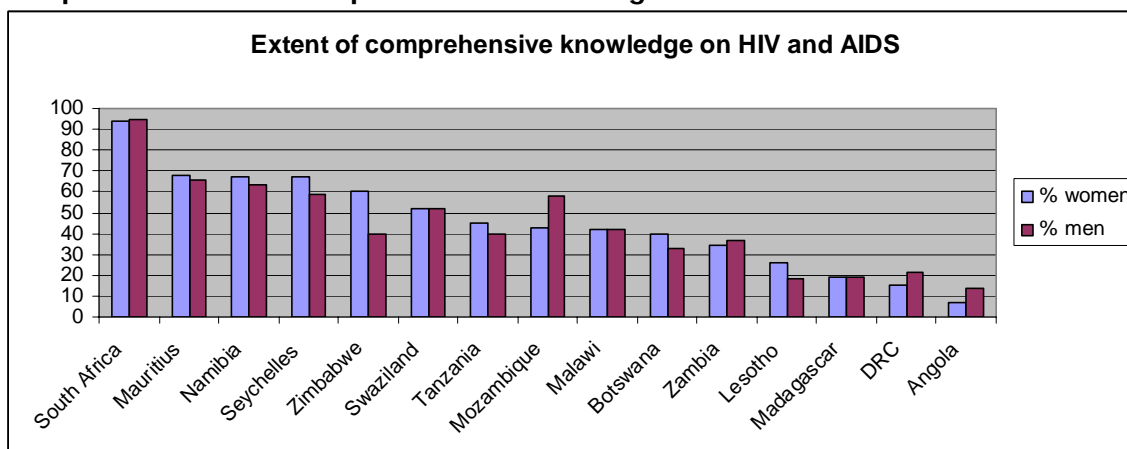
Source: Gender Links Regional Barometer Report, 2009

Graph 13: Percentage population infected by HIV


Source: Gender Links Regional Barometer Report, 2009

Mauritius is also ranked second in the region with regards to the population's comprehensive knowledge of HIV/AIDS as is indicated in the graph below.

Graph 14: Extent of comprehensive knowledge on HIV/AIDS



Source: Gender Links Regional Barometer Report, 2009

Prevention

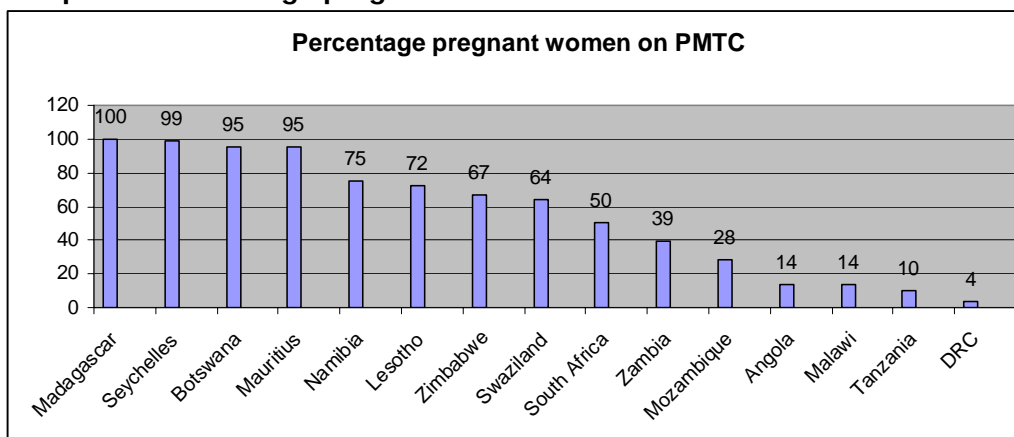
The Protocol requires that by 2015 state parties shall develop gender sensitive strategies to prevent new infections, taking account of the unequal status of women, and in particular the vulnerability of the girl child as well as harmful practices and biological factors that result in women constituting the majority of those infected and affected by HIV and AIDS.

The country has an HIV and AIDS Act. The National Aids Committee is chaired by the Prime Minister.

PMTCT

The Prevention of Mother to Child Transmission (PMTCT) programme was set up in December 1999 where all pregnant women attending hospitals get all treatment and medication free of charge, including free caesarians. Babies get milk free of charge up to the age of 2yrs irrespective of social status. All pregnant women are tested for HIV; positive pregnant women are offered ARV treatment free of charge. As indicated in the graph below, Mauritius stands at 95% of pregnant mothers having access to PMTCT, a position that is favourable when compared to other SADC countries.

Graph 15: Percentage pregnant women on PMTCT



Source: Gender Links Regional Barometer Report, 2009

The National policy is being drafted; however, orphans and vulnerable children are supported by the Ministry of Social Security. A pension is provided to all orphans irrespective of HIV status. Government has allocated a budget of Rs.120 million for programmes targeting women and children who are HIV positive. NGOs in these sectors can apply for funding.



Mother and baby in maternity ward, Mauritius
mother baby ward mauritius

Photo: GEMSA

Treatment

The Protocol calls on state parties to ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.

No legislation mentions women as a specific beneficiary group as treatment and medication are free for both men and women. "At the last National Aids Meeting, the Prime Minister highlighted that there must be more programmes focussed on women as there are now more and more women being infected. He found the situation alarming. The Ministry of Women and the National Women Council have set up a National Advocacy Committee to work with all District Councils and Village Councils so that at least 155 women organizations can be trained. Fifty Family Support Officers have been trained on how to do awareness campaigns, to encourage women to go for voluntary testing and counseling and to deal with stigmatization. The caravan of health invites the population at large to go for screening for non communicable diseases as well as for HIV testing. HIV is considered a chronic disease; we have therefore integrated it in our programme for the caravan of health which covers the whole island every day. VTC is available in the 26 health centres and well as the 5 regional hospitals," reported Dr. Amitha Pathack, National Aids Coordinator, Prime Minister's Office.

There is no gender gap as both men and women have the same access and treatment. There is an ongoing campaign all over Mauritius to inform the population on treatment. Moreover there is the caravan of health.

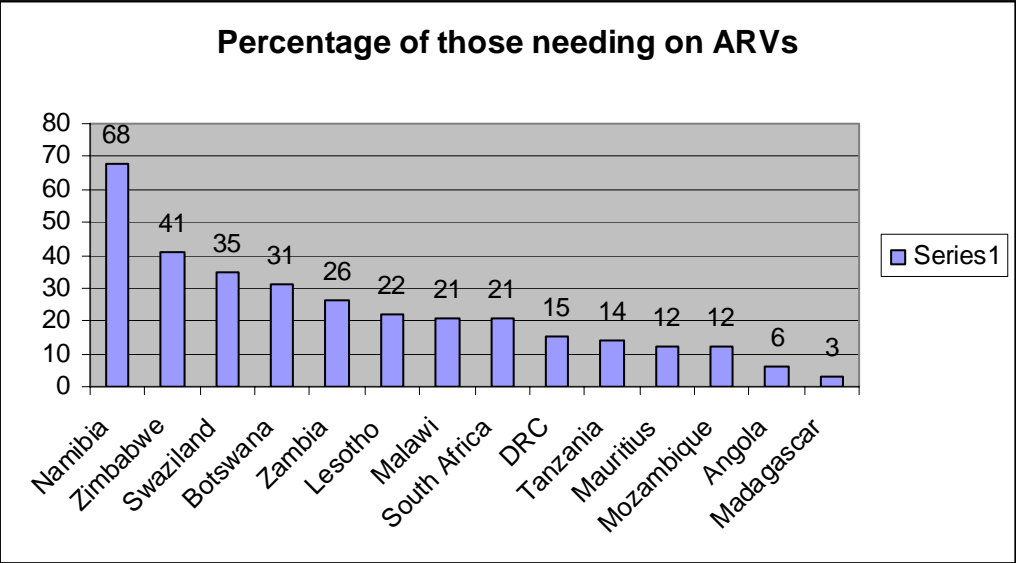
Care workers are not paid in Mauritius except for those who are in the needle exchange project. However, according to the Ministry of Health, care is provided in the community through community health centres, day care centres and medi-clinics. These sites deliver a wide range of interventions, including primary care, management of acute and chronic medical conditions and supportive care. Hospitals provide more advanced care and are linked to home and community-based care providers for patient follow-up. Home-based nursing programmes and community based rehabilitation schemes of the Ministry of Health provide

support in the home. This also decreases the family burden to reach health points. In addition, free transport services are provided for bed ridden and handicapped patients to and from health settings; and PLWHA are benefiting from transport allowances to attend clinics for treatment and follow up.

It is to be noted that HIV and AIDS has started to have a feminine face in Mauritius. Compared to prior estimates of 7.5:1 woman who was HIV positive, there has been a dramatic raise with 3:1 to date. In 2006 there were 87 HIV positive women, in 2007 this figure increased to 94, and in 2008 there were 139 official cases. The number of new cases reported from January 2009 to date are 36; 45% of these figures are homemakers who contracted the virus through their husbands/partners, the other 55% are women who are sex workers or drug users. According to Dhiren Moher of the focal point for HIV and AIDS at the Indian Ocean Commission, "Mauritians wait to be sick to go for testing. Quite a few are HIV positive and have meanwhile passed the virus to their pregnant wives."

The graph below indicates the number of HIV infected people in need of ARVs by countries in the SADC region; Mauritius is ranked at

Graph 16: Percentage of those needing ARVs



Source: Gender Links Regional Barometer Report, 2009

Care Work

From 8th to 13th June, GEMSA conducted an audit on care work in Mozambique. The overall objective was to evaluate the conditions of care work in the country taking into account HIV/AIDS combat programs, national plans on Home Based Care and evaluation of prevalence rates. For this research civil society organizations, care work organizations, government institutions responsible for this issue, the National AIDS Council (NAC) and some donor organizations were engaged.

Research revealed that organizations were unanimous in highlighting the need to extend the communication process to grassroots levels, incorporating associations and organizations of Home Based Care Workers. A more comprehensive understanding on care work is needed and there was suggestion to establish an Advocacy Task Force for care work, where the main aim would be the establishment of a linkage with government, civil society and partners. It is believed that this may increase development and strengthen mechanisms for action of different stakeholders on the scope of care work in Mozambique.

Although there is a manual that was produced by the Ministry of Health in 2006 to address the needs of home based care in Mozambique, it is not comprehensive in scope and does not effectively manage the issues faced by care-givers.¹ In fact, many care-givers don't know of this document and if they do, state that it is not applicable to the work they do.

ISSUE	POLICES	OPPORTUNITIES	RECOMMENDATIONS
Remuneration	The 2006 operational manual states that care workers should receive an amount calculated as 60% of the minimum national salary. This has not been implemented though.	Care workers should have training and the opportunity to advance within their organizations as a way to motivate and promote the work.	Creation of a guiding policy in which obligations and opportunities for various stakeholders is outlined. A regulatory means of measuring that stakeholders follow and comply with the rules.
Material and logistic support	The referred manual mentions the volunteer kit and allocation of some basic material. In practice though, neither the Ministry of Health nor the donors provide this material for care workers.	It would be suitable to give monthly support by way of food parcels. A variety of organizations could contribute to this, including World Food Program (WFP), Ministry of Women and Social Action, Ministry of Agriculture (MADER).	Design a guiding instrument of an obligatory nature which regulates the action of different stakeholders on the issue of care work (implementers, funding partners and government).
Professional training/ recognition	The operational manual mentions training and capacity building to community and care-givers on care work issues.	Care-givers should have the opportunity to exchange program ideas with other associations in order to learn from	Ensure that care workers have adequate training on care work and give them the opportunity for promotion within or outside their organisations.

		their experience and good practice.	
Psychosocial support	Care workers should have access to counseling services and moral, spiritual and psychological support.	The remuneration and recognition package should include that care-givers benefit from counseling services free of charge.	<p>Raise consciousness of care-givers to the realities of their mental health needs in the work.</p> <p>Promote stress management techniques, help care-givers adjust to the pace and approach to work, provide peer counselling, and establish a support network.</p>
Gender equality	There is little recognition of this in manuals or policy documents.	Drafting of manuals or policies.	<p>Promote active recruitment and engagement of men in care work.</p> <p>Organisations should reach out to men's forums, the church and other respected community authorities to discuss the important role of men in care work.</p>



An intravenous drug user makes use of the Needle Exchange Programme facilitated by care workers

Photo: GEMSA

needle exchange mauritius cu

SUMMARY OF KEY QUANTITATIVE FINDINGS FOR MAURITIAN MEDIA HOUSES

CATEGORY	% MAURITIUS		% REGION	
	Female	Male	Female	Male
Percentage of employees by sex	33	67	41	59
OCCUPATIONAL LEVELS				
Non-permanent	52	48	36	64
Unskilled	30	70	29	71
Semi-skilled	35	65	55	45
Skilled technical	22	78	45	55
Professionally qualified	40	60	31	69
Senior management	22	78	28	72
Top management	25	75	23	77
Board of directors	36	64	28	72
CONDITIONS OF EMPLOYMENT				
Freelance	53	47	43	57
Part-time	40	60	35	65
Full-time, fixed term contract	31	69	37	63
Full-time open-ended contract	26	74	42	58
DEPARTMENTS				
<i>Percentage of women and men in:</i>				
Finance & administration	46	54	54	46
Editorial	39	61	42	58
Advertising/Marketing	38	62	57	43
Human resources	32	68	44	56
Production	23	77	30	70
Technical/IT	16	84	16	84
Design	13	87	31	69
Printing & distribution	6	94	24	76
BEATS				
<i>Top three beats covered by women</i>				
Religion	62	38	52	48
Human Rights	58	42	42	58
Media	58	42	42	58
<i>Top three beats covered by men</i>				
Political reporting	20	80	25	75
Labour	21	79	36	64
Courts	27	Mauritius	37	Region
POLICIES				
Existence of a gender policy		33	16	63
		73		
Existence of a sexual harassment policy	56		28	
Need for or improving existing gender policies	78		68	

This audit of women and men in Mauritius media houses is part of the *Glass Ceilings: Women and Men in Southern African Media* conducted by Gender Links (GL) in partnership with Media Watch Organisations (MWO)/ Gender and Media Southern African (GEMSA) Network in Mauritius.

The findings will in turn be used in a global study being carried out by the International Media Women's Federation (IMWF) through the Gender and Media Diversity Centre (GMDC), a partnership between media development organisations, training and higher learning institutions for the "collection and connection" of knowledge and "collaboration" to advance gender equality and diversity in the media across the globe. The GMDC has also facilitated partnerships around the fourth Global Media Monitoring Project (GMMP), and second Southern African Gender and Media Baseline Study (GMBS) that will take place in 2009/2010.

The study took place in the context of the August 2008 Southern African Development Community (SADC) Protocol on Gender and Development that urges the media and all decision-making bodies in the region to achieve gender parity by 2015. The gender protocol also calls for the mainstreaming of gender in all media laws; policies and training. It urges the media to give equal voice to women and men; challenge gender stereotypes and ensure balance and sensitivity in all coverage; especially that relating to gender violence.

In Mauritius, the study is based on research carried out in nine media houses, with a total of 1190 employees. Researchers conducted in-depth case studies of two media houses and interviewed four journalists/senior managers/editors for their perspectives on the results. A further 31 senior staff responded to perception questionnaires.



La Vie Catholique has achieved gender parity

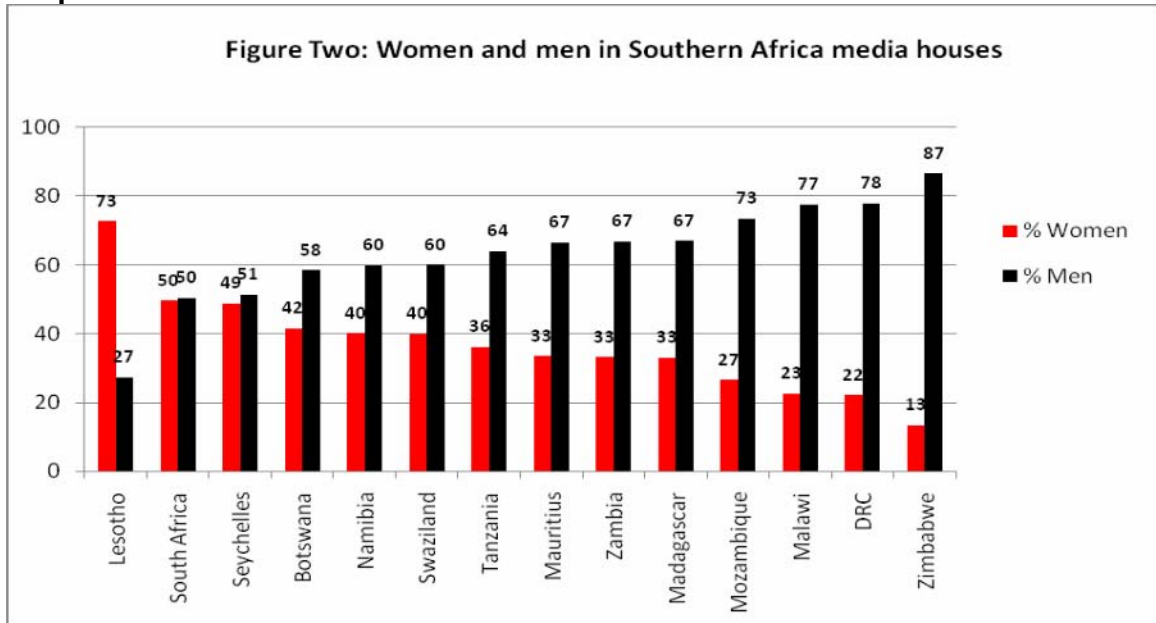
Photo: Colleen Lowe Morna

In total, 126 media houses (approximately half of all media houses¹) in 14² of the 15 countries of the Southern African Development Community (SADC) representing 23 678 employees participated in the research. Some 463 respondents filled in the perception questionnaires. Relevant regional comparisons are made throughout the report. This report should be read in tandem with the regional report: *"Glass Ceilings: Women and Men in the Southern African Media."*

Saskia Naidoo of MWO/GEMSA undertook the research in Mauritius. Loga Virahsawmy, GL Director for Mauritius and Francophone countries, and President of MWO/GEMSA, conducted further research, profiles and case studies. GL Executive Director Colleen Lowe Morna; Deputy Director Kubi Rama and Assistant director (Media research and policy) Dumisani Gandhi edited the final report.

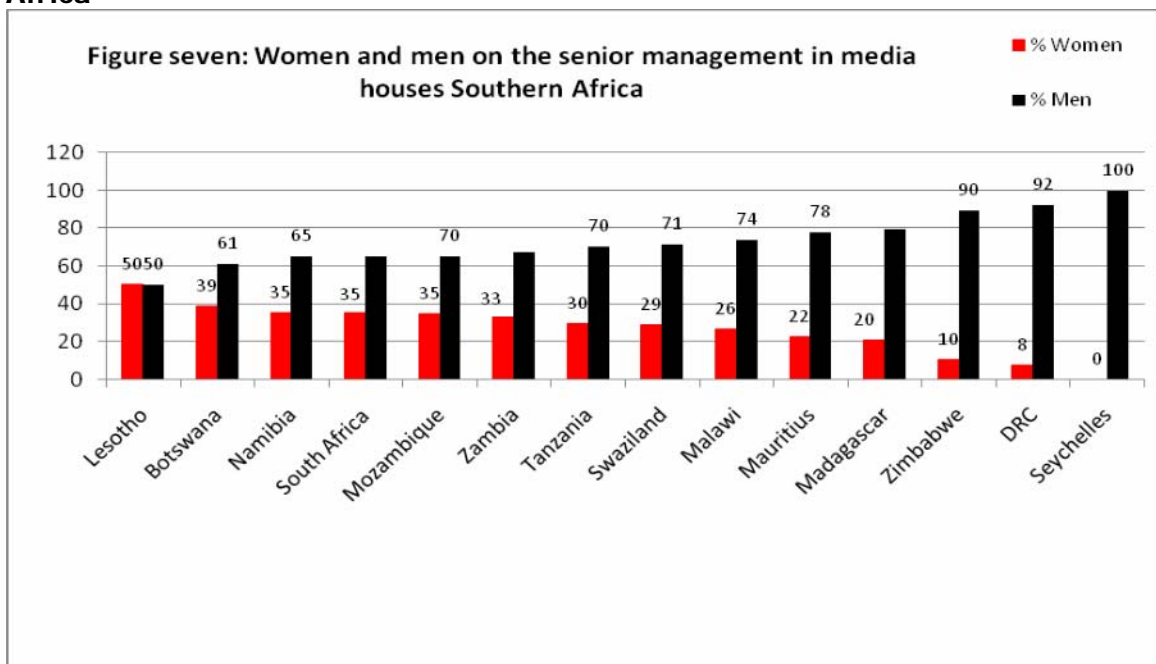
As is evident by the graphs below, Mauritius ranks in the average range in the region with regards to female representation in media houses, regarding senior management positions in media houses; and in line with women's views and voices are grossly under-represented in the media it ranks more poorly, Mauritius ranks ninth in the region in terms of women sources in the country.

Graph 17: Women and men in Southern Africa media houses



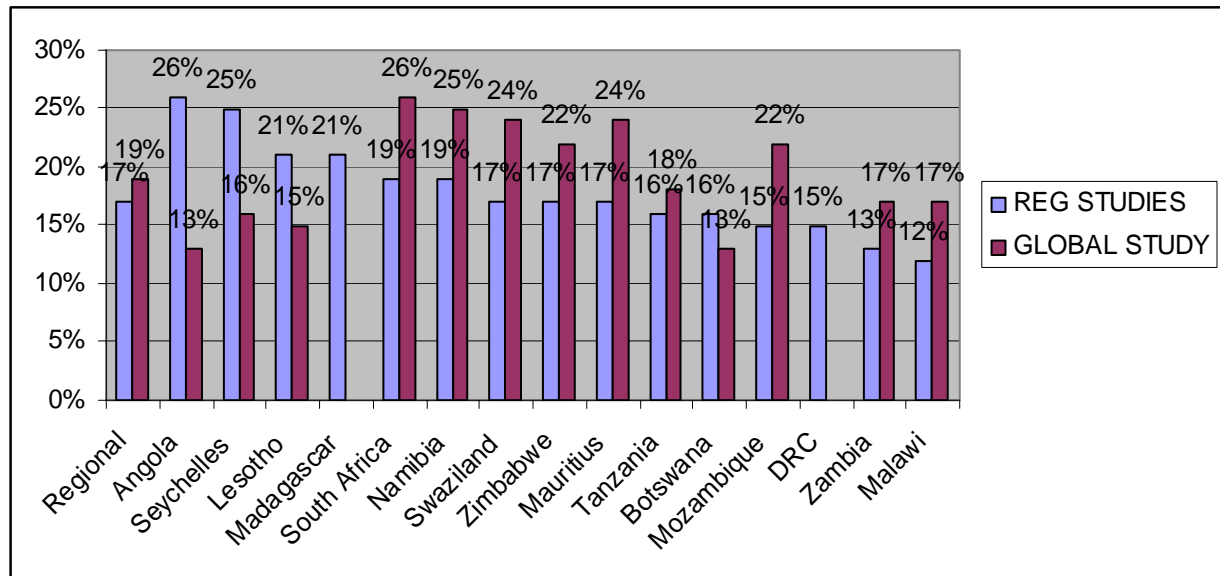
Source: Gender Links Regional Barometer Report, 2009-10-03

Graph 18: Women and men in senior management in media houses Southern Africa



Source: Gender Links Regional Barometer Report, 2009

Graph 19: Women sources in all countries, regional and global studies



Source: Gender Links Regional Barometer Report, 2009

Gender and Media Baseline Study

The key findings of the research can be summarised as follows:

- ***Women's views and voices are grossly under-represented in the Mauritian media:*** If unknown sources are excluded, women constitute 17 percent of the news sources in the media monitored in this study. This figure is close to the global figure of 18 percent in the GMMP.
- ***Best and worst performers:*** 5 Plus has the highest proportion of women sources (31 percent) and Le Mauricien the lowest (10 percent).
- ***There are no significant differences between private and public media:*** In the case of the public broadcaster, MBC, women's voices were 17 percent of those accessed in radio and television, compared to 83 percent men. The fact that a private media house (5 Plus) performs so much better than the public broadcaster should be pause for thought, since sexist coverage is often justified in the private media for commercial gain. But the variations between the private media, and the relatively poor showing by the public media, show that there is still a long way to go with regard to awareness raising and training of the media generally in Mauritius.
- ***Women in the media still carry their private identity more than men:*** In Mauritius, women are much more likely to be identified as a wife, daughter or mother than a man is likely to be identified as a husband, son or father. Some 15 percent of the women sourced were identified in a relationship as compared to three percent for men.

- ***Older women, more than older men, are virtually invisible:*** To the extent that women's voices are accessed, they are likely to be in the 20-34 and 35-49 year bracket for both print and electronic media. Men in the 50-64 years bracket are a dominant voice in the Mauritian media.
- ***Women in certain occupational categories are virtually silent:*** The only occupational categories in which female views dominated were beauty contestants, sex workers and homemakers.
- ***Gender equality is hardly considered newsworthy:*** Gender specific news items did not feature high in the Mauritian media, but interestingly the reports that did appear were covered equally by women (23 percent) and men (23 percent) reporters during the period of the study. Also, 43 percent of the voices in stories on gender equality were women, while men's voices were 40 percent.
- ***Men's voices dominate in all the hard news categories:*** Women constituted less than 10 percent of the news sources in the economics and sports categories and were only 11 percent of the sources accessed in political stories.
- ***The highest level of representation of women in the Mauritian media is as presenters, where they outnumber men:*** Forty-four percent of the presenters in the electronic media are women as compared to 40 percent men.
- ***But they have to be young!*** While women constitute the majority of the presenters in the electronic media, they are concentrated in the 20-34 years age bracket. This tapers off much more dramatically for women than for men in the 35-49 year category, and for both men and women in the 50-64 year age bracket.
- ***Women are least well represented in the print media:*** Women constituted only 24 percent of the journalists in Mauritius' print media, compared to 22 percent in the region.

The qualitative analysis revealed that there is no gender aware editorial policy throughout Mauritius' media. And while journalists do have skills, a large majority lack the skills for issue-oriented reporting and investigative journalism which are needed to develop articles which are pro-active, analytical reports on gender inequalities and gender justice



GEMSA Summit Mauritian dance

Photo: GEMSA
mauritius dance_td_0808

IMPLEMENTATION *Article 32 -36*

Signing

The Prime Minister's Office has informed Gender Links that the Ministry of Foreign Affairs and the Ministry of Women's Rights are responsible for signature of the Protocol. The following efforts at country level have taken place to ensure that the country does sign the SADC Protocol on Gender and Development:

1. On 23rd February 2009 the Director of GL Satellite Office in Mauritius who is also Chair of GEMSA sent a letter to the Prime Minister of Mauritius asking him when the Protocol will be signed. The Prime Minister's Office replied on 24th April 2009 to say that the matter has been referred to the Ministry of Foreign Affairs and the Ministry of Women's Rights.
2. On 24 April 2009, letters were sent to the Minister of Women's Rights, Child Development and Family Welfare and the Minister of Foreign Affairs copying the letter from the Prime Minister's Office and asking both Ministers when the Protocol will be signed. The Minister of Women's Rights did not reply while the Secretary to Foreign Affairs addressed a letter to the Director of Gender Links and Chair of GEMSA to say "I appreciate your concern with regard to the SADC Protocol on Gender and Development. You may recall that at the SADC Summit in Sandton last August Mauritius did not sign the Protocol since it provides for positive discrimination. Nevertheless, we are examining how to address this legal constraint and how special provisions can be added for Mauritius."
3. On 29th April 2009, an official launch of the video SADC Protocol on Gender and Development 'The Road Map to Equality' was held in association with Women in Networking and sponsored by Barclays Bank. The launch was followed by a roundtable discussion on the Protocol explaining why it must be signed. Its importance for gender equality, elimination of gender violence, women's empowerment and representation of women in politics at national and local levels were highlighted. The panel comprised of Loga Virahsawmy, Jerome Boule, former Lord Mayor and Director of Radio One and L'Express.mu, Pramila Patten, Lawyer and United Nations CEDAW Expert and Bon Choolun, District Councillor. Over 100 participants attended the launch and the discussion.
4. The Director of Gender Links Satellite Office in Mauritius had a meeting with the Attorney General on Tuesday 5th May 2008 to ask if Mauritius can sign with reservation. The Attorney General confirmed that according to Article 16 of the Constitution of Mauritius Protection from Discrimination it is stipulated that "no law shall make any provision that is discriminatory". According to the Attorney, the Protocol stipulates "affirmative action" and this can be construed as positive discrimination. He argued however that if there is a precedent where a Protocol has been signed with reservation he is prepared to look into the matter.

5. Since 28th May 2009 the MBC Radio has embarked on a talk show programme with experts, government officials and NGOs to talk about the provisions of the Protocol. The programme is being held from 11.00am to 12.00pm twice a week. Through this radio programme Mauritians are becoming aware of the Protocol.
6. On 16th June 2009 GL Satellite Office in Mauritius sent 41 letters to journalists informing them about all the provisions of the Protocol, enclosing the brochure 'The Protocol at a Glance' with a situation analysis of Mauritius as well as informing them that Mauritius has yet to sign.
7. In its edition of 24th June 2009 the daily *Le Matinal* published an article on the Protocol and highlighted that Mauritius has not signed.

Ratification

As the Protocol has not been signed it is not clear which Ministry will be responsible for ratification; but it will probably be the MWRCDFW and the Attorney General.

Gender Links Satellite Office in Mauritius, with the collaboration of Women in Networking, has launched the DVD 'Road Map to Equality – SADC Protocol on Gender and Development' to raise awareness of the Protocol. The Mauritian Office of Gender Links has also written letters to the Prime Minister, Minister of Foreign Affairs and the Minister of Women's Rights, Child Welfare and Family Development to ask when the Protocol will be signed.

Implementation mechanisms and processes

Table 30: National gender machinery and processes

Component	Yes /No	Comments
National Gender Policy	Yes	
Gender ministry	Yes	Ministry of Women's Rights, Child Development and Family Welfare
Gender focal points in all line departments	Not in all Departments	All Ministries to have a gender focal point
Gender structure in parliament	It has not been able to create a Parliamentary Gender Caucus Group	
Active collaboration with civil society	Some Ministries have very active collaboration with civil society	
Plan for domestication/ popularisation of the Protocol?	Protocol needs to be signed first	
National action plans with measurable time frames	Protocol needs to be signed first	
Analysis of baseline data against a which a report will have to be submitted in 2010	Protocol needs to be signed first	
Preparedness for first report next year		

Although the Country has not signed the Protocol yet there are quite a few provisions in the Protocol that are already being implemented.

CONCLUSIONS – did you leave this section out for a reason? This section cannot be filled as the Protocol has not been signed.

ANNEX A: LIST OF DOCUMENTS ACCESSED AND SUBMITTED

Document	Accessed and reviewed	Copy of document
Country Constitution	√	√
Model legislation on any article	√ (Human Trafficking)	√
Gender Policy	√	√
HIV and AIDS Policy	√	√
Trade Policies		
Entrepreneur Policies	√	√
Procurement Policies	√	√
Health Policies	√	√
Labour Policies	√	√
Education Policies	√	√
Economic Policy	√	√
Micro finance policy/ charter	√	√
Land Policy	√	√
Skills Development Policy		
Trafficking law / policy	√	√
Equal Opportunity Act	√	√
UN documentation	√	√
All legislation – GBV, AA,	√	√
Election related data – reports on election results, voter registration lists, amongst others.	√	√

NB: Please use this as a checklist and provide a detailed bibliography at the end of your report using the format in the editorial guidelines attached to the briefing document.

ANNEX B: List of interviews

Name	Designation	E Mail	Cell phone	Land line	Fax
Vijay Ramgoolam	Managing Director	v.ramgoolam@intnet.mu	256 4001	230 0500	233 5545
Rama Valayden	Attorney General	ago@mail.gov.mu		203 4742	211 8024
Deva Virahsawmy	Secretary General of the Mauritius Labour Party	ndvlock@intent.mu	728 3201	212 2700	212 2701
Mufti Makoojee	Islamic Official	mufti@orange.mu	792 1333		
Seebaluck	Crime Unit				
D. Potheegadoo	Senior Statistician, Central Statistics Office			601 5252	
Rajesh Bhagwan	Secretary General Mouvement Militant Mauricien (MMM)		729 7452		
Ariane Navarre Marie	Vice President of Women's Wing of the MMM		257 3974		
Irfan Raman	Electoral Commissioner	electcom@mail.gov.mu		240 9690	
Vidya Charan	Executive Director of Mauritius Family Welfare Associatin	b.charan@mfpwa.org		208 9233	
Dr. Amita Pathack	National Aids Coordinator	a.pathack@mail.gov.mu		213 8328	213 5332

List of Parastatal Bodies in the study:

- Central Water Authority
- Irrigation Authority
- Mauritius Oceanography Institute
- University of Technology
- Industrial and Vocational Training Board
- University of Mauritius
- Waste Water management
- Mauritius Standards Bureau
- Agricultural Marketing Board
- Tertiary Education Commission
- Sugar Industry Labor Welfare Fund
- State Trading Corporation
- Road Development Authority
- Mauritius Qualifications Authority
- Mauritius College of the Air
- Mauritius Tourism and promotion Agency
- Private Secondary Schools Authority
- Tobacco Board
- Mauritius Institute of Education
- National Library
- Mauritius Institute of Health
- National Transport Corporation
- Nelson Mandela Center for African Culture
- Small Enterprise and Handicraft Development Authority
- Small Planters Welfare Fund
- Mahatma Gandhi Institute

Bibliography

- The Constitution of Mauritius
- Civil Status Act
- The Protection from Domestic Violence Act 1997
- Child Protection Act
- Immigration Act
- Employment Rights Act
- National Pensions Act 1976 as amended
- Equal Opportunity Act
- Education Act
- The Independent Broadcasting Authority Act 2000
- The Sugar Industry Efficiency Act 2001 as amended
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